

FEE EXEMPT

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12 Attorneys for
13 **CHINO BASIN WATERMASTER**

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

CHINO BASIN MUNICIPAL WATER
DISTRICT,

Plaintiff,

v.

CITY OF CHINO, ET AL.,

Defendants.

Case No. RCV RS 51010

[Assigned for All Purposes to the
Honorable Stanford E. Reichert]

**REQUEST FOR THE COURT TO
APPROVE INTERVENTIONS**

Date: June 26, 2020
Time: 1:30 p.m.
Dept: S35

[Filed concurrently herewith: Declaration of
Bradley J. Herrema; [Proposed] Order]


TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT, on June 26, 2020 at 1:30 p.m. in Department S35 of the above-entitled court located at 247 West Third Street, San Bernardino, California 92415-0210, the Chino Basin Watermaster ("Watermaster") will hereby request that the Court approve the interventions of: (1) Rafael Treto and Restorative Justice Center (dba the Community Garden Project of Rancho Cucamonga) into the Overlying (Agricultural) Pool; and, (2) 9W Halo Western OpCo L.P. and ANG II (Multi) LLC into the Overlying (Non-Agricultural) Pool.

Watermaster's request will be based upon this Notice, the attached Memorandum of Points and Authorities, the Declaration of Bradley J. Herrema concurrently filed herewith, all documents on file herein, and such oral and documentary evidence as may be presented at the time of the hearing on this matter.

Dated: May 27, 2020

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

By: 
SCOTT S. SLATER
BRADLEY J. HERREMA
CHRISTOPHER R. GUILLEN
Attorneys for
CHINO BASIN WATERMASTER

MEMORANDUM OF POINTS AND AUTHORITIES

The Chino Basin Watermaster (“Watermaster”) hereby requests that the Court approve the interventions of: (1) Rafael Treto and Restorative Justice Center (dba the Community Garden Project of Rancho Cucamonga) (“Restorative Justice Center”) into the Overlying (Agricultural) Pool (“Ag Pool”); and, (2) 9W Halo Western OpCo L.P. (“9W Halo”) and ANG II (Multi) LLC (“ANG II”) into the Overlying (Non-Agricultural) Pool (“Non-Ag Pool”) (these parties are collectively referred to herein as the “Intervening Parties”).

I. LEGAL STANDARD

Paragraph 60 of the Restated Judgment provides:

Any non-party assignee of the adjudicated appropriative rights of any appropriator, or any other person newly proposing to produce water from Chino Basin, may become a party to this Judgment upon filing a petition in intervention. Said intervention must be confirmed by order of this Court. Such intervenor shall thereafter be a party bound by this judgment and entitled to the rights and privileges accorded under the Physical Solution herein, through the pool to which the Court shall assign such intervenor.

On July 14, 1978, this Court further clarified the intervention procedures in its “Order re Intervention Procedures,” stating:

[A]ll subsequent petitions in intervention may be accepted by Watermaster and accumulated for filing from time to time in an ex parte proceeding, except upon 48-hour notice to any party or to any attorney of record who shall have requested such notice; and that prior to filing with the Court, Watermaster shall be permitted to take all administrative steps pertaining to the Judgment provided, however, that no assessments shall be made until a formal order has been entered by this Court.

Pursuant to this direction, Watermaster’s practice has been to accept intervention requests informally by way of a letter and then process the requests through the Pool Committees, Advisory Committee, and Watermaster Board. After this internal process, Watermaster files the request for intervention with the Court for approval along with Watermaster’s recommendation as to its disposition. Only after Court approval is an intervenor formally bound by the Restated Judgment and entitled to the rights and privileges accorded under the Physical Solution. Neither the Restated Judgment nor the July 14, 1978 Order requires a hearing to be held for uncontested interventions.

II. BACKGROUND AND ANALYSIS

Over the course of the past several years, Watermaster has undertaken efforts to ensure this Court has approved the intervention of all active parties under the Judgment. (Declaration of Bradley J. Herrema (“Herrema Decl.”), ¶ 3.) Pursuant to this review and recent actions by the Watermaster Board, Watermaster now respectfully requests the Court grant the interventions of the Intervening Parties for the reasons described below.

A. Interventions Into the Overlying (Agricultural) Pool

The Watermaster Board recommended approval of the interventions of Restorative Justice Center and Rafael Treto into the Ag Pool over the course of the past ten years.

- In December 2009, Watermaster received a petition for intervention from Rafael Treto so that Mr. Treto could produce water from a well drilled on his property for personal domestic and agricultural use. (Herrema Decl., ¶ 4, Ex. A.) On March 25, 2010, the Watermaster Board unanimously recommended approval of Mr. Treto’s intervention into the Ag Pool. (*Id.* at ¶ 5, Ex. B.)
- In December 2010, Watermaster received a petition for intervention from Restorative Justice Center. (Herrema Decl., ¶ 6, Ex. C.) The petition requested intervention so that Restorative Justice Center could produce water from a well on its property for use in a community garden. (*Ibid.*) On January 27, 2011, the Watermaster Board unanimously recommended approval of Restorative Justice Center’s intervention into the Ag Pool. (*Id.* at ¶ 7, Ex. D.)

While Watermaster has recommended approval of these interventions, it is not believed that any formal request has been made to the Court to permit Rafael Treto and Restorative Justice Center’s interventions into the Judgment. Watermaster now formally requests the Court take such action and grant the interventions in accordance with Watermaster’s recommendations.

B. Interventions Into the Overlying (Non-Agricultural) Pool

The Watermaster Board has also recommended approval of the interventions of 9W Halo and ANGII into the Overlying (Non-Agricultural) Pool (“Non-Ag Pool”) over the course of the past four years.

- In July 2017, 9W Halo submitted a petition to intervene in the Judgment as a member of the Non-Ag Pool. (Herrema Decl., ¶ 8, Ex. E.) The petition stated that 9W Halo had succeeded to Angelica Corporation’s overlying right to safe yield (18.789 acre-feet), which Angelica Corporation (“Angelica”) had presumably acquired from Southern Service Co., dba Blue Seal Linen (“Southern Service”) (an original party identified in the Judgment as a member of the Non-Ag Pool). (*Ibid.*) The petition clarified that 9W Halo would continue to use the right on the same property and for the same purposes as Angelica. (*Ibid.*) The Watermaster Board unanimously recommended approval of 9W Halo’s intervention into the Non-Ag Pool on July 27, 2017. (*Id.* at ¶ 9, Ex. F.)
- After 9W Halo’s intervention, 9W Halo, and later, ANGII, conducted an investigation into the history of ownership of the Southern Service rights and determined: (1) Southern Service transferred its right to ANGII on March 25, 2010, and (2) ANGII temporarily leased the use of the right to Angelica Textile Services, Inc., a subsidiary of Angelica, on that same date. Watermaster was not notified of either of these transfers. (Herrema Decl., ¶ 10, Ex. G.)
- To effectuate the Southern Service and ANGII transfers and permit use of the right, ANGII submitted a letter requesting intervention into the Non-Ag Pool on January 2, 2020. (*Ibid.*) At the same time, ANGII submitted an application for the prior transfers of the Southern Service right (i.e., the permanent transfer from Southern Service to ANGII and the temporary transfer from ANGII to 9W Halo (as successor to Angelica)). (*Ibid.*) The Watermaster Board unanimously recommended approval of ANGII’s intervention into the Non-Ag Pool on February 27, 2020. (*Id.* at ¶ 11, Ex. H.)

Watermaster now formally requests this Court approve the interventions of 9W Halo and ANGII into the Non-Ag Pool in accordance with Watermaster’s recommendations.

III. CONCLUSION

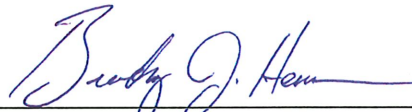
For all of the reasons discussed above, Watermaster respectfully requests that this Court

1 grant the Intervening Parties' interventions into the Judgment.

2
3 Dated: May 27, 2020

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

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6 By:


SCOTT S. SLATER
BRADLEY J. HERREMA
CHRISTOPHER R. GUILLEN
Attorneys for CHINO BASIN
WATERMASTER

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Attorneys for

CHINO BASIN WATERMASTER

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN BERNARDINO

CHINO BASIN MUNICIPAL WATER
DISTRICT,

Plaintiff,

v.

CITY OF CHINO, ET AL.,

Defendants.

Case No. RCV RS 51010

[Assigned for All Purposes to the
Honorable Stanford E. Reichert]

**DECLARATION OF BRADLEY J.
HERREMA IN SUPPORT OF CHINO
BASIN WATERMASTER REQUEST FOR
THE COURT TO APPROVE
INTERVENTIONS**

Date: June 26, 2020

Time: 1:30 p.m.

Dept: S35

[Filed concurrently herewith: Request for Court
to Approve Interventions; [Proposed] Order]

DECLARATION OF BRADLEY J. HERREMA

I, Bradley J. Herrema, declare:

1. I am an attorney duly admitted to practice before all of the courts of this State, and am a shareholder in the law firm of Brownstein Hyatt Farber Schreck, LLP, counsel of record for Chino Basin Watermaster (“Watermaster”). I have personal knowledge of the facts stated in this declaration, except where stated on information and belief, and, if called as a witness, I could and would competently testify to them under oath. I make this declaration in support of the above-referenced request.

2. As legal counsel for Watermaster, I am familiar with Watermaster’s practices and procedures, as well as actions taken by the Pool Committees, Advisory Committee, and Board.

3. Over the course of the past several years, Watermaster staff and counsel have undertaken efforts to ensure this Court has approved the intervention of all active parties under the Judgment.

4. Attached hereto as **Exhibit A** is a true and correct copy of the March 25, 2010 Watermaster Staff Report detailing Rafael Treto’s petition to intervene in the Restated Judgment as a member of the Overlying (Agricultural) Pool.

5. Attached hereto as **Exhibit B** is a true and correct copy of the Minutes from the Watermaster Board meeting on March 25, 2010, during which the Board unanimously voted to recommend to the Court the approval of Rafael Treto’s intervention request.

6. Attached hereto as **Exhibit C** is a true and correct copy of the January 27, 2011 Staff Report detailing the petition to intervene in the Overlying (Agricultural) Pool submitted by Restorative Justice Center (dba the Community Garden Project of Rancho Cucamonga) (“Restorative Justice Center”).

7. Attached hereto as **Exhibit D** is a true and correct copy of the Minutes from the Watermaster Board meeting on January 27, 2011, during which the Board unanimously voted to recommend to the Court the approval of Restorative Justice Center’s intervention request.

8. Attached hereto as **Exhibit E** is a true and correct copy of the July 27, 2017 Staff Report detailing 9W Halo Western OpCo L.P.’s (“9w Halo”) petition to intervene in the Restated

Judgment as a member of the Overlying (Non-Agricultural) Pool.

9. Attached hereto as **Exhibit F** is a true and correct copy of the Minutes from the Watermaster Board meeting on July 27, 2017, during which the Board unanimously voted to recommend to the Court the approval of 9W Halo's intervention request.

10. Attached hereto as **Exhibit G** is a true and correct copy of the February 27, 2020 Staff Report detailing ANG II (Multi) LLC's petition to intervene in the Restated Judgment as a member of the Overlying (Non-Agricultural) Pool.

11. Attached hereto as **Exhibit H** is a true and correct copy of the Minutes from the Watermaster Board meeting on February 27, 2020, during which the Board unanimously voted to recommend to the Court the approval of ANG II (Multi) LLC's intervention request.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 27th day of May, 2020, at Redondo Beach, California.



BRADLEY J. HERREMA

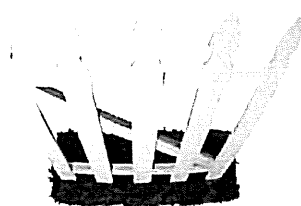
Exhibit A



CHINO BASIN WATERMASTER

I. CONSENT CALENDAR

C. INTERVENTION INTO THE AGRICULTURAL POOL





CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730
Tel: 909.484.3888 Fax: 909.484.3890 www.cbwm.org

KENNETH R. MANNING
Chief Executive Officer

STAFF REPORT

DATE: March 25, 2010
TO: Watermaster Board Members
SUBJECT: Intervention into Agricultural Pool

SUMMARY

Recommendation – Staff recommends approval of the Intervention of Rafael Treto into the Agricultural Pool.

BACKGROUND

According to Paragraph 60 of the Judgment:

"[Any] person newly proposing to produce water from the Chino Basin may become a party to this Judgment upon filing a petition in intervention. Said intervention must be confirmed by order of this Court. Such intervenor shall thereafter be a party bound by this judgment and entitled to the rights and privileges accorded under the Physical Solution herein, through the pool to which the Court shall assign such intervenor."

According to Watermaster's Rules and Regulations section 2.27:

"Watermaster will receive and make recommendations regarding petitions for intervention and accumulate them for filing with the Court from time to time (Judgment paragraph. 60 and Order re Intervention Procedures, July 14, 1978.)"

Watermaster received a petition to Intervene into the Judgment from Rafael Treto dated December 10, 2009. Treto recently drilled a well on his property at 13160 Bon View Avenue in Ontario. The City does not have a potable water line in this area. The five-acre farm at this address has five cows, 12 horses, approximately two acres of grass, and a small house. The estimated annual water production is approximately ten acre-feet, and as such, the well will be metered.

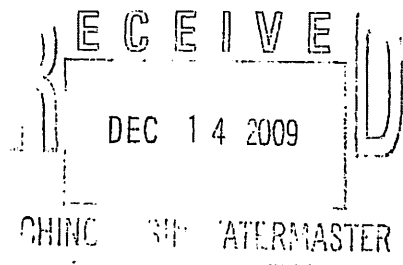
Staff recommends approval of the intervention into the Agricultural Pool.

Actions:

3-04-10 Appropriative Pool – Approved unanimously
3-04-10 Non-Agricultural Pool – Approved unanimously
3-11-10 Agricultural Pool – Approved unanimously
3-18-10 Advisory Committee – Approved majority vote – Non-Agricultural Pool voted no
3-25-10 Watermaster Board

Date: 12/10/2009

Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, CA 91730
Attn: Kenneth R. Manning, CEO



Subject: Intervention into Chino Basin Watermaster

Dear Mr. Manning:

I, or the company I represent (see below), request intervention into the Chino Basin Watermaster Judgment. I/we request that the Watermaster attorneys process the Intervention paperwork through the Court.

Number of wells One

Permission is granted to obtain drilling logs from DeChenne Water Well Drilling Co.

Location(s) of wells (including addresses, parcel numbers, and landmarks): 13160 Bonview Ave.
Ontario CA, 91761

Type of usage (Irrigation, Dairy, Domestic, etc.)

Domestic

Property Owner (Well Owner) Information:

Name: Rafael Treto
Address: 14163 Peral Ct. Chino CA 91710
Phone: (909) 393-9248 Email: treto@sbcglobal.net

Property Occupant (Well User) Information (if different from Owner):

Name: SAME
Address: _____
Phone: _____ Email: _____

Representative Handling Intervention:

Name: _____ Title: _____
Address: _____
Phone: _____ Email: _____

Sincerely,

Signed: Rafael Treto Print name Rafael Treto

Exhibit B

Minutes
CHINO BASIN WATERMASTER
WATERMASTER BOARD MEETING

March 25, 2010

The Watermaster Board Meeting was held at the offices of the Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, CA, on March 25, 2010 at 11:00 a.m.

WATERMASTER BOARD MEMBERS PRESENT

Ken Willis, Chair
Michael Camacho
Charles Field
Bob Kuhn
Michael Whitehead
Bob Bowcock
Tom Haughey
Geoffrey Vanden Heuvel
Paul Hofer

West End Consolidated Water Company
Inland Empire Utilities Agency
Western Municipal Water District
Three Valleys Municipal Water District
Fontana Water Company
Vulcan Materials Company
City of Chino
Agricultural Pool
Agricultural Pool

Watermaster Staff Present

Kenneth R. Manning
Ben Pak
Danielle Maurizio
Sherri Lynne Molino

Chief Executive Officer
Senior Project Engineer
Senior Engineer
Recording Secretary

Watermaster Consultants Present

Scott Slater
Michael Fife
Mark Wildermuth

Brownstein, Hyatt, Farber & Schreck
Brownstein, Hyatt, Farber & Schreck
Wildermuth Environmental, Inc.

Others Present Who Signed In

Terry Catlin
Ryan Shaw
Brian Geye
Bob Wagner
David Lounsbury
Eunice Ulloa
Marty Zvirbulis
Mark Kinsey
David DeJesus
Rick Hansen
Steve Kennedy
Karen Johnson
Josh Swift
Robert Young
Steven G. Lee
Jeff Pierson
Bob Feenstra
Pete Hall
Tom Harder
Ken Jeske
Mohamed El-Amamy

Inland Empire Utilities Agency
Inland Empire Utilities Agency
Auto Club Speedway
Chino Basin Water Conservation District
Chino Basin Water Conservation District
Chino Basin Water Conservation District
Cucamonga Valley Water District
Monte Vista Water District
Three Valleys Municipal Water District
Three Valleys Municipal Water District
Three Valleys Municipal Water District
Water Resources Planning
Fontana Water Company
Fontana Union Water Company
Reid & Hellyer for the Agricultural Pool
Ag Pool – Crops
Dairy
State of California – CIM
Jurupa Community Services District
City of Ontario
City of Ontario

Raul Garibay
Brian Geye
Dave Crosley
Ben Lewis

City of Pomona
Auto Club Speedway
City of Chino
Golden State Water Company

Chair Willis called the Watermaster Board meeting to order at 11:00 a.m.

PLEDGE OF ALLEGIANCE

AGENDA - ADDITIONS/REORDER

I. CONSENT CALENDAR

A. MINUTES

1. Minutes of the Watermaster Board meeting held February 25, 2010

Motion by Vanden Heuvel, second by Kuhn and by unanimous vote

Moved to table February 25, 2010 minutes to the April agenda, as presented

Motion by Vanden Heuvel, second by Bowcock and by majority vote – Field voted no

Moved to add changing the format of the minutes to title and motion only, as presented

Motion by Vanden Heuvel, second by Bowcock and by unanimous vote

Moved to prepare minutes with motions only, as presented

B. FINANCIAL REPORTS

1. Cash Disbursements for the month of January 2010

Motion by Camacho, second by Field and by unanimous vote

Moved to approve Item B1 as presented

2. Watermaster Visa Check Detail for the month of January 2010

Motion by Kuhn, second by Camacho and by unanimous vote

Moved to approve Item B2 as presented

3. Combining Schedule for the Period July 1, 2009 through January 31, 2010

Motion by Kuhn, second by Camacho and by majority vote – Bowcock voted no

Moved to approve Item B3 as presented

4. Treasurer's Report of Financial Affairs for the Period January 1, 2010 through January 31, 2010

Motion by Kuhn, second by Field and by majority vote – Bowcock voted no

Moved to approve Item B4 as presented

5. Budget vs. Actual July 2009 through January 2010

Motion by Field, second by Kuhn and by unanimous vote

Moved to approve Item B5 as presented

C. INTERVENTION INTO THE AGRICULTURAL POOL

Intervention of Rafael Treto into the Agricultural Pool

Motion by Kuhn, second by Bowcock and by unanimous vote

Moved to approve Intervention of Rafael Treto into the Agricultural Pool, as presented

II. REPORTS/UPDATES

A. WATERMASTER GENERAL LEGAL COUNSEL REPORT

1. Peace II SEIR
Report was given by Counsel Slater
2. Non-Agricultural Pool Information Requests Status
Report was given by Counsel Slater
3. Database and Record Management
Report was given by Counsel Slater

Motion by Vanden Heuvel, second by Whitehead and by majority vote – Kuhn voted no

Moved to approve releasing redacted invoices to the Overlying Non-Agricultural Pool representatives, as presented.

It was noted for the record that Mr. Bob Bowcock does not appreciate them being redacted.

Motion by Vanden Heuvel, second by Kuhn and by unanimous vote

Moved to approve that the Watermaster Board agrees with and supports the recommendation of legal counsel which is a recognition that we have taken internal steps to preserve the electronic communications and that is sufficient from our prospective to meeting this request and therefore most specifically, no outside consultant will be hired at this time with expertise in electronic preservation, as presented

It was noted for the record that Charles Field wanted the record to reflect that in supporting the vote, he does not agree this because it would mean we are in fact subject to the Public Records Act. He believes that we are not. He believes we are not a public agency. He believes we are an arm of the court as a special master and the Public Records Act does not apply to us and we are perfectly within our legal rights, should we choose to do so, to refuse to disclose any of these kinds of information or even to respond to these information requests without a direct order of the court.

B. ENGINEERING REPORT

1. 2010 Basin Plan Amendment
Report was given by Mr. Wildermuth
2. Recharge Master Plan Update
Report was given by Mr. Wildermuth

C. CEO/STAFF REPORT

1. Legislative Update
Report was given by Mr. Manning
2. Recharge Update
Report was given by Mr. Manning

3. ALCOA Monitoring Wells
Report was given by Mr. Manning
4. Turner Basins/Guasti Park Task Force
Report was given by Mr. Pak

III. INFORMATION

1. Newspaper Articles

IV. BOARD MEMBER COMMENTS

V. OTHER BUSINESS

The regular open Watermaster Board meeting was convened to hold its confidential session at 12:12 p.m.

VI. CONFIDENTIAL SESSION - POSSIBLE ACTION

Pursuant to Article 2.6 of the Watermaster Rules & Regulations, a Confidential Session may be held during the Watermaster committee meeting for the purpose of discussion and possible action.

1. Non-Agricultural Pool Paragraph 31 Motion

The confidential session was convened at 12:55 p.m.

Counsel Slater gave the following action items from the confidential session:

1. Watermaster Board instructed counsel to file an ex parte motion requesting a case management order regarding the Paragraph 31 Non-Agricultural Filing

A roll call vote was requested.

VII. FUTURE MEETINGS

Thursday, March 25, 2010	9:30 a.m.	Special Appropriative Pool Confidential Session Meeting @ CBWM
Thursday, March 25, 2010	11:00 a.m.	Watermaster Board Meeting @ CBWM
Thursday, March 25, 2010	1:00 p.m.	Recharge Master Plan Workshop @ CBWM
Thursday, April 8, 2010	9:00 a.m.	Agricultural Pool Meeting @ IEUA
* Thursday, April 8, 2010	1:00 p.m.	Appropriative Meeting @ CBWM
* Thursday, April 8, 2010	2:30 p.m.	Non-Agricultural Pool Meeting @ CBWM
Thursday, April 15, 2010	8:00 a.m.	IEUA DYY Meeting @ CBWM
Thursday, April 15, 2010	9:00 a.m.	Advisory Committee Meeting @ CBWM
Wednesday April 21, 2010	9:00 a.m.	RMP Half Day Workshop @ Rancho Central Park
Thursday, April 22, 2010	11:00 a.m.	Watermaster Board Meeting @ CBWM

* Notes a different day than the regularly scheduled 1st Thursday of every month meeting and will return to the normal schedule on May 6, 2010

The Watermaster Board meeting was dismissed by Chair Willis at 12:56 p.m.

Minutes Watermaster Board Meeting

March 25, 2010

Secretary: _____

Minutes Approved: April 22, 2010

Exhibit C



CHINO BASIN WATERMASTER

II. CONSENT CALENDAR

C. INTERVENTION INTO THE AGRICULTURAL POOL





CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730
Tel: 909.484.3888 Fax: 909.484.3890 www.cbwm.org

KENNETH R. MANNING
Chief Executive Officer

STAFF REPORT

DATE: January 27, 2011
TO: Watermaster Board Members
SUBJECT: Intervention into Agricultural Pool

SUMMARY

Recommendation – Staff recommends approval of the Restorative Justice Center (dba the Community Garden Project of Rancho Cucamonga) into the Agricultural Pool.

BACKGROUND

According to Paragraph 60 of the Judgment:

"[Any] person newly proposing to produce water from the Chino Basin may become a party to this Judgment upon filing a petition in intervention. Said intervention must be confirmed by order of this Court. Such intervenor shall thereafter be a party bound by this judgment and entitled to the rights and privileges accorded under the Physical Solution herein, through the pool to which the Court shall assign such intervenor."

According to Watermaster's Rules and Regulations section 2.27:

"Watermaster will receive and make recommendations regarding petitions for intervention and accumulate them for filing with the Court from time to time. [Judgment Paragraph 60 and Order re Intervention Procedures, July 14, 1978.]"

Watermaster received a petition to Intervene into the Judgment from the Restorative Justice Center (dba the Community Garden Project of Rancho Cucamonga) dated December 15, 2010. This non-profit organization is in the process of developing a 15-acre community garden in Rancho Cucamonga. The Community Garden property is located on Foothill Boulevard, just to the west of Day Creek Boulevard in the Edison easement, next to Sears Grand. The organization intends to have approximately 3-4 acres of vineyards, with the remainder of the land (minus walkways, the Edison access road, and clearance around the Edison tower) used for community garden plots. It will all be phased in by five-acre increments over the next 3-4 years. There is an old (inactive) vineyard well on the site that they intend rehabilitate and place into service. The estimated ultimate annual water production is approximately 24 acre-feet, and as such, the well will be metered.

Staff recommends approval of the intervention into the Agricultural Pool.

Actions:

January 6, 2011 Appropriative Pool – Approved by Majority (1 opposition from MVWD)

January 6, 2011 Non-Agricultural Pool – Moved to authorize the Chair to support the intervention into the Agricultural Pool at the Advisory Committee and Watermaster Board meetings as long as the Agricultural Pool approves the intervention

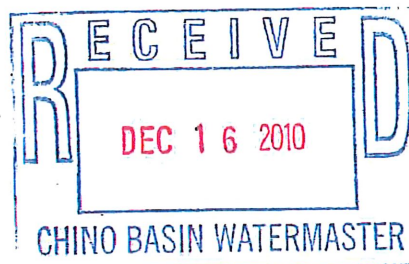
01-13-11 Agricultural Pool – Approved Unanimously

01-20-11 Advisory Committee – Approved by Majority - (1 opposition from MVWD) – Moved to acknowledge this property is outside the conversion area and to direct Watermaster staff to put together a workshop to create criteria by which these types of community type uses

01-27-11 Watermaster Board –

Date: 12-15-10

Chino Basin Watermaster
9641 San Bernardino Rd.
Rancho Cucamonga, CA 91730
Attn: Kenneth R. Manning, CEO



Subject: Intervention into Chino Basin Watermaster

Dear Mr. Manning:

I, or the company I represent (see below), request intervention into the Chino Basin Watermaster Judgment. I/we request that the Watermaster attorneys process the Intervention paperwork through the Court.

Number of wells: 1

Location(s) of wells (including addresses, parcel numbers, and landmarks): Well is located on the eastern side of Parcel # 16033 Foothill Blvd (east of Day Creek Blvd - in Edison easement). Well is adjacent to the south west corner of the neighboring Sears Grand store

Property Owner (Well Owner) Information:

Name: The Restorative Justice Center (dba Community Garden of RC)
Address: PO Box 1410 Upland CA 91785
Phone: 909-946-6092 Email: deefmat@earthlink.net

Property Occupant (Well User) Information (if different from Owner):

Name: same
Address: _____
Phone: _____ Email: _____

Representative Handling Intervention:

Name: Dee Matreyck Title: President - Founder
Address: PO Box 1410 Upland CA 91785
Phone: 909-946-6092 Email: deefmat@earthlink.net

Sincerely,

Signed:

Dee Matreyck

Printed:

Dee F. Matreyck

THIS PAGE
HAS
INTENTIONALLY
BEEN LEFT
BLANK
FOR PAGINATION

Please Mail Your Donation to:

Community Garden Project of RC

P.O. Box 9244

Alta Loma, CA 91701



Membership Levels

- ☐ \$10 Friend of the Garden
☐ \$20 Individual Member
☐ \$40 Family Member
☐ \$50 Business Member
☐ \$100 Plot Sponsor
☐ \$500 + Garden Sponsor
☐ \$1000 + Garden Patron

Name _____

Address _____

Phone _____

Home _____

The Community Gardens Project of RC is

a project of the Restorative Justice

Center a non-profit 501 c 3 organization

(tax id # 30-01140366)

Make Checks Payable to:

Community Garden Project of RC

Sponsorships

We need your help in order for us to plant the seeds to make this Garden grow.

"Help us fill Your Basket"

Anyone who makes a donation this year—by December 31, 2009—will receive special recognition as a Founding Member of the Community Garden of Rancho Cucamonga.

The following Membership Levels are available:

\$10 Friend:
Thank you note
E-mail list updates

\$20 Individual:
Thank you note
E-Mail list updates

Listing in Garden Web-site Newsletter

\$40 Family:
Thank you note
E-Mail List Updates

Listing in Garden Web-Site Newsletter
Photo or Name on display board

\$50 Business:
Thank you note
E-Mail Updates

Listing in Garden Web-Site Newsletter
Photo or Name on Display Board
Invitations (2) to VIP activities

\$100 Plot Sponsor:
Thank you note

Listing in Garden Web-Site Newsletter
Photo or Name on Display Board
Invitations (4) to VIP activities

Name on plot marker (plot numbers or names on map)

\$500 or above Garden Sponsor:

Thank you note;
Listing in Garden Web-Site Newsletter
Photo or Name on Display Board
Invitations (6-8) to VIP activities
Name on street/avenue/walkway

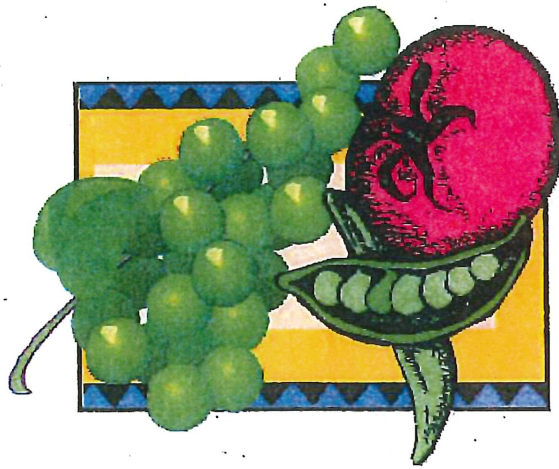
\$1,000 or more Garden Patron

All of the Above Plus

Branding Opportunities such as shed, benches, posts for decorative ribbons, street/avenue names, demonstration garden name, entry arbors, tools/hoses, work tables etc....

our COMMUNITY GARDEN PROJECT

of Rancho Cucamonga



Presented to you by the
committee to develop a
Community Garden in
Rancho Cucamonga, CA

rcgarden@earthlink.net

Our Mission:

The mission of the private, non-profit Community Garden Project of Rancho Cucamonga (CGPRC) is to create and sustain a community garden and vineyard, along with a Farmer's Market, which will serve to improve the quality of life throughout the local communities of western San Bernardino County. The CGPRC serves to educate, strengthen community spirit, create therapeutic environments and provide locally grown fresh fruits and vegetables for the community.

Why Do We Need A Garden???

Food for the Community!

There is a growing national awareness of the value of locally grown fruits and vegetables that can enhance the health and wellbeing of the community's citizens.

With the development of the Community Gardens and Market it is our intention to increase the access to low-cost, locally grown fresh fruits and vegetables, a portion of which will be donated to the local food banks and home-bound senior programs.

Our Vital History!

Cucamonga's first large agricultural development began in 1838. By 1917, Cucamonga's vineyard spanned over 20,000 acres. Rancho Cucamonga is also home to the first and oldest winery building in California - established 1839 and identified as California Historic Landmark No. 490. Today, only a few of the valley's original wine-growing family operations remain, with less than 800 vineyard acres. Revitalizing our local history and preserving our viticulture heritage is a vital aspect of our history and community.

Education for Our Children!

The Community Gardens Project will provide educational opportunities, not only for our children, but for everyone within the community. Teach your children how to grow their own food and give them a lifetime of health and well-being.

Value to Our Community!

Growing food together has the same value as breaking bread together. We get to know our neighbors, develop strong family bonds, share information, and feel more connected to our larger community. What are some of the other benefits to developing and growing a community garden?

- It grows leaders
- It helps to feed people and save money
- It promotes healthier communities
- It helps people learn about civic participation
- It helps save energy and keep urban air cool and clean
- It provides job training
- It reduces stress
- It gives at-risk people access to healthy food
- It preserves cultural heritage
- It provides children with places to play and learn
- It helps cities with recycling

It's Fun!!!

Board of Directors:

Dee Matreyek **Chair**
rcgarden@earthlink.net

Brad Buller **Vice Chair**
bradbuller@msn.com

Andrea Mitchell **Sec/Tres**
andrea.mitchel@gmail.com

Jackie Brooks **Membership**
RCCGmembership@yahoo.com

Heather Neault **Sponsorships**
h_eileen@yahoo.com

Augusto Cruzalegui **Advisor**

Edward J. Dietl **Advisor**
access7@verizon.net

Gino L. Filippi **Exec. Asst**

For More Information and/or to find out how to participate in the Garden, please contact:

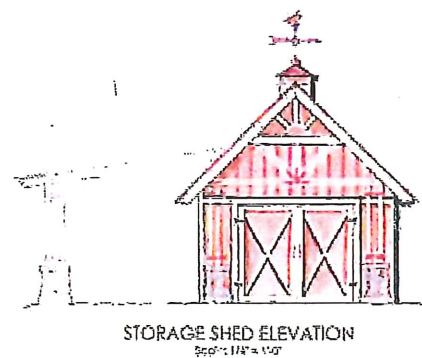
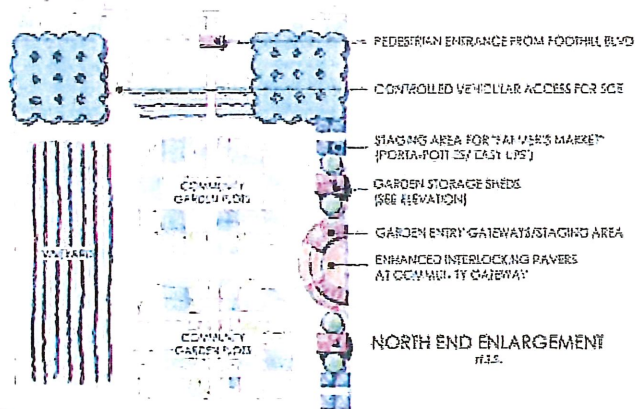
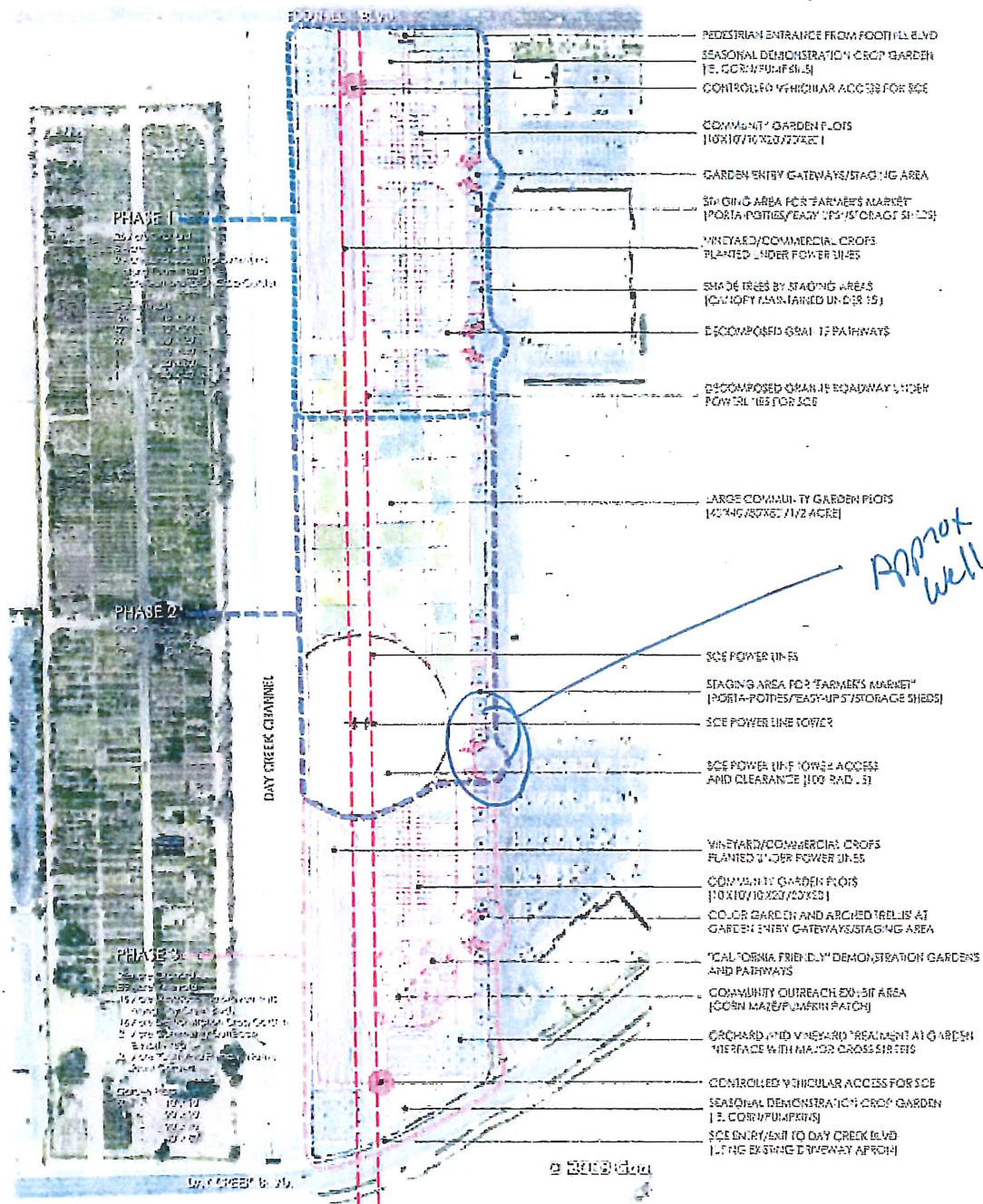
Dee Matreyek—Chair 909-946-6092

Jackie Brooks—Membership 909-800-4032

Or Visit Our Web Site at:

[http://
communitygardensofrancho Cucamonga.wordpress.com](http://communitygardensofrancho Cucamonga.wordpress.com)

Dee Matreyek
Community Garden Project of RC
P.O. Box 9244
Alta Loma, CA 91701
E-mail: rcgarden@earthlink.net



Rancho Cucamonga Community
Garden and Vineyard Project

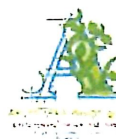
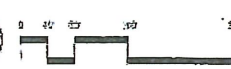


Exhibit D

Minutes
CHINO BASIN WATERMASTER
WATERMASTER BOARD CONFIDENTIAL MEETING
AND
ANNUAL WATERMASTER BOARD MEETING
January 27, 2011

The Watermaster Board Confidential Meeting and the Annual Watermaster Board Meeting was held at the offices of the Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, CA, on January 27, 2011 at 10:00 a.m. and 11:00 a.m.

WATERMASTER BOARD MEMBERS PRESENT

Ken Willis, Chair
Steve Elie
Ken Jeske
Bob Kuhn
Paula Lantz
Tom Haughey
Charles Field
Geoffrey Vanden Heuvel
Bob Feenstra

West End Consolidated Water Company
Inland Empire Utilities Agency
California Steel Industries (CSI)
Three Valleys Municipal Water District
City of Pomona
City of Chino
Western Municipal Water District
Agricultural Pool
Agricultural Pool

WATERMASTER BOARD MEMBERS ABSENT

Paul Hofer
Bob Bowcock

Ag Pool - Crops
Vulcan Materials Company (Calmat Division)

Watermaster Staff Present

Kenneth R. Manning
Sherri Lynne Molino

Chief Executive Officer
Recording Secretary

Watermaster Consultants Present

Scott Slater
Steve Hoch
Mark Wildermuth
Joe LeClaire

Brownstein, Hyatt, Farber & Schreck
Brownstein, Hyatt, Farber & Schreck
Wildermuth Environmental, Inc.
Wildermuth Environmental, Inc.

Chair Willis called the Watermaster Board Confidential meeting to order at 10:04 a.m.

1. Ontario Airport Plume

Introductions were made for the Watermaster Board members and consultants present for the confidential session.

Mr. Vanden Heuvel stated the following were not present for the ABGL Group presentation given December 16, 2010: Ken Jeske, Paula Lantz, Marty Zvirbulis, Bob Kuhn, Danielle Soto, Steve Elie, and Tom Haughey and a second presentation is to be scheduled in the near future for them to see it.

The confidential session concluded at 11:10 a.m.

There were no reportable actions recorded for the confidential session.

WATERMASTER BOARD MEMBERS PRESENT

Ken Willis, Chair
 Steve Elie
 Ken Jeske
 Bob Kuhn
 Paula Lantz
 Tom Haughey
 Charles Field
 Geoffrey Vanden Heuvel
 Bob Feenstra

West End Consolidated Water Company
 Inland Empire Utilities Agency
 California Steel Industries (CSI)
 Three Valleys Municipal Water District
 City of Pomona
 City of Chino
 Western Municipal Water District
 Agricultural Pool
 Agricultural Pool

WATERMASTER BOARD MEMBERS ABSENT

Paul Hofer
 Bob Bowcock

Ag Pool - Crops
 Vulcan Materials Company (Calmat Division)

Watermaster Staff Present

Kenneth R. Manning
 Joe Joswiak
 Danielle Maurizio
 Ben Pak
 Sherri Lynne Molino

Chief Executive Officer
 Chief Financial Officer
 Senior Engineer
 Senior Project Engineer
 Recording Secretary

Watermaster Consultants Present

Scott Slater
 Steve Hoch
 Mark Wildermuth
 Joe LeClaire
 Andy Malone

Brownstein, Hyatt, Farber & Schreck
 Brownstein, Hyatt, Farber & Schreck
 Wildermuth Environmental, Inc.
 Wildermuth Environmental, Inc.
 Wildermuth Environmental, Inc.

Others Present Who Signed In

Michael Camacho
 Tom Love
 Robert DeLoach
 Marty Zvirbulis
 Jolynne Russo-Pereyra
 Rick Hansen
 John Rossi
 Jack Safely
 Mohamed El Amamy
 Bob Gluck
 Dave Crosley
 Curtis Paxton
 Pete Hall
 Julie Cavender
 Jeff Pierson
 Mark Kinsey
 Ron Craig
 Danielle Soto
 Tim Mim Mack
 David Penrice
 Brian Geye
 Raul Garibay
 Steven G. Lee
 Ben Lewis
 Terry Catlin
 Eunice Ulloa

Inland Empire Utilities Agency
 Inland Empire Utilities Agency
 Cucamonga Valley Water District
 Cucamonga Valley Water District
 Cucamonga Valley Water District
 Three Valleys Municipal Water District
 Western Municipal Water District
 Western Municipal Water District
 City of Ontario
 City of Ontario
 City of Chino
 Chino Desalter Authority
 State of California – CIM
 State of California - CIM
 Agricultural Pool
 Monte Vista Water District
 City of Chino Hills
 City of Pomona
 Chino Desalter Authority
 Aqua Capital Management
 Auto Club Speedway
 City of Pomona
 Reid & Hellyer for the Agricultural Pool
 Golden State Water Company
 Inland Empire Utilities Agency
 Chino Basin Water Conservation District

Dee Mateyck
Hank Stoy
David DeJesus
Rick Hansen
Sheri Rojo

Community Garden
Cucamonga Valley Water District
Three Valleys Municipal Water District
Three Valleys Municipal Water District
Consultant for Fontana Water Company

Chair Willis called the open Annual Watermaster Board meeting to order at 11:15 a.m.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

No public comments were received.

AGENDA - ADDITIONS/REORDER

No additions or reorders were made to the agenda.

INTRODUCTIONS - CALENDAR YEAR 2011 WATERMASTER BOARD MEMBERS

Bob Bowcock	Non-Agricultural Pool
Steve Elie	Inland Empire Utilities Agency
Tom Haughey	City of Chino
Charles Field	Western Municipal Water District
Paul Hofer	Agricultural Pool (Crops)
Bob Kuhn	Three Valleys Municipal Water District
Paula Lantz	City of Pomona
Geoffrey Vanden Heuvel	Agricultural Pool (Dairy)
Ken Willis	West End Consolidated Water Company

RECOGNITION OF OUTGOING WATERMASTER BOARD MEMBERS

1. Mr. Michael Whitehead, Fontana Water Company

I. CALENDAR YEAR 2011 OFFICERS – Action

A. ELECTION OF OFFICERS

Nominations took place for the Watermaster Board positions to serve during calendar year 2011. Appointees Nominated:

1. Watermaster Board Chair: **Mr. Ken Willis**
2. Watermaster Board Vice-Chair: **Mr. Bob Kuhn**
3. Watermaster Board Secretary/Treasurer: **Mr. Tom Haughey**

II. CONSENT CALENDAR

A. MINUTES

1. Minutes of the Watermaster Board meeting held on December 16, 2010

B. FINANCIAL REPORTS

1. Cash Disbursements for the month of November 2010
2. Watermaster Visa Check Detail for the month of November 2010
3. Combining Schedule for the Period July 1, 2010 through November 30, 2010
4. Treasurer's Report of Financial Affairs for the Period November 1, 2010 through November 30, 2010
5. Budget vs. Actual July through November 2009

C. INTERVENTION INTO THE AGRICULTURAL POOL

Intervention of Restorative Justice Center (dba the Community Garden Project of Rancho Cucamonga) into the Agricultural Pool

Item C was pulled for discussion:

Mr. Manning stated this item has gone to the Pools and the Advisory Committee and is coming before this Board with more than an 80% in favor vote for the Community Garden Project. Mr. Manning stated that both the Appropriative Pool and Advisory Committee meetings recommended this action be delayed in order for additional clarity to be made for the criteria necessary for inclusion, and other kinds of issues related to these inclusions of the Agricultural Pool. Mr. Kinsey stated his comments today are a follow up to the comments which were made at the recent Appropriative Pool and Advisory Committee meetings. Mr. Kinsey stated he does believe this is an agricultural use; however, the concern is there are prohibitions in the Peace II Agreement which would make it difficult for community gardens to be formed and set up throughout the balance of the Chino Basin. Mr. Kinsey offered comment regarding equitable treatment for the land use, water delivery methods, and the established assignment process. Mr. Kinsey stated the issue is being raised as to the intent of Peace II in terms of agricultural usage out of agricultural area number 1, and offered further comment on this matter of concern. Mr. Kinsey stated he voted no because before this is moved forward with this process, this issue should be addressed and show consistency. A lengthy discussion regarding Mr. Kinsey's comments ensued. Mr. Manning stated staff understands what Mr. Kinsey is discussing and that these issues going forward could have some implication on approvals or interventions. The Advisory Committee moved to approve with a caveat which was slightly different than the motion given by the Appropriative Pool; both left this intervention as recommended by staff because it is clearly an agricultural use. Mr. Manning stated separate from the criteria that Mr. Kinsey describes, the Advisory Committee took action to approve the intervention into the Agricultural Pool and included in their motion was the creation of a sub-committee that would look at criteria for future interventions dealing with these issues of community gardens. Staff accepts this is something that needs to be done and that is the motion sent to this board. A discussion regarding this matter ensued.

D. CHINO BASIN WATERMASTER INVESTMENT POLICY

Resolution 11-01 – Resolution of the Chino Basin Watermaster, San Bernardino County, California, re-authorizing the Watermaster's Investment Policy

E. LOCAL AGENCY INVESTMENT FUND

Resolution 11-02 – Resolution Authorizing Investment of Monies in the Local Agency Investment Fund (LAIF)

F. NOTICE OF INTENT

Annual Filing of Notice of Intent Regarding the Determination of Operating Safe Yield

Motion by Kuhn, second by Jeske, and by majority vote – Ms. Lantz, Mr. Elie, and Mr. Jeske abstained

Moved to approve Consent Calendar items A, B, D through F, as presented

Motion by Vanden Heuvel, second by Haughey, and by unanimous vote

Moved to approve Consent Calendar item C acknowledging this area is out of the conversion area and to direct staff to schedule a workshop to create criteria by which these types of uses will be more expansive to other than community gardens; community type use, as presented

III. REPORTS/UPDATES**A. WATERMASTER GENERAL LEGAL COUNSEL REPORT****1. Draft Restated Watermaster Judgment**

Counsel Slater stated the draft Restated Watermaster Judgment is in process and is posted on the Watermaster ftp site. Counsel Slater stated most of the comments received relate not to the textural matters but to the party clean up, and there have been efforts by the Agricultural Pool to address the special circumstances within the Pool. Counsel Slater stated it is the opinion of staff and counsel that we are not prepared to take anything to the court at the present time. There is an April hearing scheduled and staff and counsel are preparing to present it to the court at that hearing.

2. January 21, 2011 Hearing

Counsel Slater stated the January 21, 2011 hearing did take place and the Watermaster nine-member board was reapproved at that hearing. A subsequent hearing has been scheduled for April 22, 2011 at 10:30 a.m. and there will be a couple of matters before the court; the Restated Watermaster Judgment and the Resolution regarding the CDA Expansion.

3. January 26, 2011 Settlement Conference

Counsel Slater stated the January 26, 2011 settlement conference occurred yesterday regarding the Purchase and Sale Agreement and the opposition of the Overlying Non-Agricultural Pool regarding the disposition of that water. The conference was attended by Director Field, Director Camacho, and Director Kuhn. The process was well attended and lasted most of the day; however, no settlement was forth coming. Counsel Slater stated it appears that if there is not a backchannel breakthrough the court will begin setting a briefing schedule and it will proceed to a hearing on the merits. Counsel Slater stated this item will be discussed in greater detail during the closed session.

4. Santa Ana Sucker Critical Habitat Designation

Counsel Slater stated this matter is being followed closely. The parties most affected by the recent decision are getting together to develop a strategy to take into account administrative, legal, and legislative options. Counsel Slater stated Watermaster is not leading that effort and are only monitoring it, and will apply whatever effort is thought necessary. Counsel Slater stated counsel will keep the parties apprised.

B. ENGINEERING REPORT**1. MZ1 Progress Report**

Mr. Malone stated there was a Land Subsidence Committee meeting last week which was the first meeting for this newly formed committee. This committee was formerly the MZ1 Technical Committee which was comprised of MZ1 parties and their technical consultants. This committee is now being opened up to all Watermaster parties and the reason is that over the years subsidence has been seen as a phenomenon that is not unique to the Management Zone 1 and it seems to be occurring in other parts of the basin as well. Subsidence is a very important issue to many parties of the Watermaster, especially as this basin urbanizes out and water levels are purposely being drawing down; this is controlled overdraft. Mr. Malone stated there are other parts of the basin where subsidence and ground fissuring could potentially be a threat. Mr. Malone stated another reason to open this committee up is because all Watermaster parties financially contribute to these monitoring and subsidence management efforts. This should be an opportunity for all to have a say or come to the meetings and learn about these issues and how their money is being spent. Mr. Malone stated these meetings have typically occurred in a series of monthly meetings about this time of the year for two reasons: 1) A look at the historical data and the recent data that has been collected, and 2) A scope of work is put together and cost estimates are attached for the next fiscal year's efforts. Eventually, this committee recommends to Watermaster that scope of work and that budget for Watermaster's budgeting efforts. Mr. Malone reviewed InSAR maps and discussed them in great detail.

Mr. Malone noted there is another meeting for the Land Subsidence Committee which will take place on January 31, 2011, at the Wildermuth Environmental office; however, this particular meeting will be a highly technical meeting. All are invited to this meeting. The next regular Land Subsidence Committee meeting is scheduled for February 17, 2011, at 10:30 a.m. directly after the Advisory Committee meeting. A discussion regarding the recent heavy rainfall which could affect the subsidence areas and costs with regard to InSAR and land sources data ensued. Mr. Vanden Heuvel offered comment on monies being spent on these types of technical instruments.

2. Modeling of the Chino Desalter Well Field

Mr. Malone stated Wildermuth has performed some modeling for the Chino Desalter Well Field and he expects to have the results in shortly and will review the modeling efforts at an upcoming meeting.

Added Comment:

Chair Willis stated Mr. Manning has been offered a position elsewhere and he has accepted it; he will be starting that new position on March 1, 2011. Chair Willis thanked Mr. Manning for his hard work and dedication over these past six plus years with Chino Basin Watermaster. Mr. Manning stated since he started as the CEO of Watermaster since 2004, he has gotten to know so many wonderful people and has thoroughly enjoyed working with each person. Mr. Manning stated this basin is an example of how basin management should be done anywhere; this interaction of stakeholders is the solution to groundwater basin management.

C. CEO/STAFF REPORT

1. Legislative Update

Mr. Manning stated there is a lot of discussion in Sacramento about the budget, especially regarding redevelopments and how that is going to affect water agencies or enterprise districts. Mr. Manning stated a lot more emphasis is going to be put on enterprise agencies and waste water agencies in raising fees to cover expenses. The governor is looking at \$25 billion dollars in reductions at the state level. Mr. Manning noted the May revision will come prior to the election. Mr. Manning stated there is going to be a lot of discussions taking place and everyone is watching closely. Mr. Manning offered comment on the President's State of the Union speech and noted there was no discussion on water in that speech.

2. Recharge Update

Mr. Manning commented on the calls received by various newspapers regarding the drought situation with all the recent rain. Mr. Manning commented on the recent storms and our ability to capture storm water in our basins; approximately 20 inches of rain in December in the foothills. Mr. Manning reviewed the most recent recharge spreadsheet in detail.

3. Notice of Availability - Non-Agricultural Water

Mr. Manning stated that the Notice of Availability was sent out regarding the Non-Agricultural water agencies. Mr. Manning stated Watermaster has received no affirmative notice that the Non-Agricultural Pool wants to sell any water. Mr. Manning stated Swan Lake Mobile Home Park did ask for an extension to declare whether or not they will have water available to the Appropriative Pool. Mr. Manning stated that every year before December 31st, the Non-Agricultural Pool members have to declare that they have water available to sell by January 31st and if there is water to sell, the Appropriative Pool has to declare they are going to buy it. Then, by the end of June, that water transaction has to take place.

4. New Board Members

Mr. Manning welcomed new Board members Paula Lantz and Steve Elie to the Watermaster Board and Ken Jeske who is Bob Bowcock's alternate. Mr. Manning stated that the Watermaster accomplishes great things in the Chino Basin.

5. CDA Update

Mr. Manning stated the CDA has hired a new General Manager, Curtis Paxton, and he is present today to observe our Board meeting. Mr. Manning stated at the last CDA board meeting action was taken to approve the whole suite of agreements and resolutions necessary to expand the CDA to its ultimate designation at 40,000 acre-feet per year production and the acquisition of Hydraulic Control on the west side of the basin; those two goals are critical for Watermaster. Mr. Manning thanked the key participants in accomplishing this tremendous undertaking.

6. General Electric Pool Designation

Mr. Manning stated in 1995 General Electric intervened into the Judgment. At the time GE intervened specifically into the Appropriative Pool. A series of events took place that occurred between that time and the next couple of years where they were reassigned into the Non-Agricultural Pool. Watermaster does not have records of what those circumstances were; however, there was a deliberate move to enter them into the Non-Agricultural Pool, which is where they have been since 1997. In reviewing records for the upcoming restated Judgment, this discrepancy was found. General Electric has made it known they would like to stay in the Non-Agricultural Pool and staff feels that is an appropriate designation. This is for your information only. Eventually, during an upcoming court filing staff will ask the court to clarify General Electric's position into the Non-Agricultural Pool. Mr. Manning stated all the annual reports note them as being part of the Non-Agricultural Pool and all financial records show that they are part of the Non-Agricultural Pool. A lengthy discussion regarding this matter ensued. Mr. Jeske stated GE does not have any pumping allocation in the Non-Agricultural Pool; their safe yield rights are zero. They do pump, treat, and discharge, and in the course of doing that there is a consumptive use of some of the water in the recharge process. Mr. Jeske stated for as long as he has been involved, since 1998, all the pumping has been included in the Annual Reports and the Assessment Packages in the Non-Agricultural Pool. Mr. Jeske stated the assessments paid have been recorded that way and to do anything differently could result in unwinding years of financial reports. GE came to the Non-Agricultural Pool for confirmation that that's where they were and asked that the discrepancy and the documentation be corrected in the next filing. That was a unanimous action of the Non-Agricultural Pool. Counsel Slater stated GE qualifies as a member of the Overlying Non-Agricultural Pool on the basis of the beneficial use that's being conducted on the property pursuant to the Judgment. Counsel Slater stated the definition is in paragraph 43 discussing the formation of the Pools and a production of water for industrial or commercial purposes. Counsel Slater stated the question is, do they have an allocation, and are all parties enjoined? Counsel Slater stated they did not have an allocation and would be enjoined but for the fact they produce pursuant to the physical solution, and that is to pay the replenishment costs.

IV. INFORMATION

1. Cash Disbursements for December 2010

No comment was made regarding this item.

2. Newspaper Articles

No comment was made regarding this item.

V. COMMITTEE MEMBER COMMENTS

No comment was made regarding this item.

VI. OTHER BUSINESS

No comment was made regarding this item.

The regular open Watermaster Board meeting was convened to hold its confidential session at 12:13 p.m.

VII. CONFIDENTIAL SESSION - POSSIBLE ACTION

Pursuant to Article 2.6 of the Watermaster Rules & Regulations, a Confidential Session may be held during the Watermaster committee meeting for the purpose of discussion and possible action.

1. Response to the ABGL presentation

The confidential session concluded at 12:50 p.m.

Chair Willis gave the following action item from the confidential session:

Chair Willis stated a panel formed of Ken Willis, Bob Kuhn, Geoffrey Vanden Heuvel, and Charles Field was appointed to begin the selection process for the search for a new CEO for Watermaster.

VII. FUTURE MEETINGS

Wednesday, January 26, 2011	9:30 a.m.	State Court of Appeal @ Riverside Courthouse
Thursday, January 27, 2011	11:00 a.m.	Annual Watermaster Board Meeting @ CBWM
Thursday, February 3, 2011	1:00 p.m.	Appropriative Pool Meeting @ CBWM
Thursday, February 3, 2011	2:30 p.m.	Non-Agricultural Pool Conference Call Meeting
Thursday, February 10, 2011	9:00 a.m.	Agricultural Pool Meeting @ IEUA
Thursday, February 17, 2011	9:00 a.m.	Advisory Committee Meeting @ CBWM
Thursday, February 24, 2011	11:00 a.m.	Watermaster Board Meeting @ CBWM

The Watermaster Board meeting was dismissed by Chair Willis at 12:51 p.m.

Secretary: _____

Minutes Approved: February 24, 2011

Exhibit E

CHINO BASIN WATERMASTER

I. CONSENT CALENDAR

**C. 9W HALO WESTERN OPCO L.P. OVERLYING (NON-
AGRICULTURAL) POOL INTERVENTION REQUEST**



CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730
Tel: 909.484.3888 Fax: 909.484.3890 www.cbwm.org

PETER KAVOUNAS, P.E.
General Manager

STAFF REPORT

DATE: July 27, 2017
TO: Board Members
SUBJECT: 9W Halo Western OpCo L.P. Request for Intervention into Overlying (Non-Agricultural) Pool (Consent Calendar Item I.C.)

SUMMARY

Issue: On July 6, 2017, Watermaster received a request for Intervention into the Overlying (Non-Agricultural) Pool from 9W Halo Western OpCo L.P. This staff report provides a summary and analysis of the proposed Intervention.

Recommendation: Approve the filing of request for Intervention.

Financial Impact: None.

Future Consideration

Watermaster Board: July 27, 2017: Recommend to Court

ACTIONS:

Appropriative Pool – July 13, 2017: Unanimously approved

Non-Agricultural Pool – July 13, 2017: Unanimously approved and directed Pool representatives to support at Advisory Committee and Watermaster Board meetings subject to changes they deem necessary.

Agricultural Pool – July 13, 2017: Unanimously approved

Advisory Committee – July 20, 2017: Unanimously approved and recommended Board approval

Watermaster Board – July 27, 2017:

BACKGROUND

Angelica Corporation (aka Southern Service Company, Blue Seal Linen) is an original Overlying (Non-Agricultural) Pool party pursuant to the Judgment entered in Chino Basin Municipal Water District v. City of Chino, et al., San Bernardino Superior Court No. RVCRS 51010 (formerly 164327), on January 27, 1978. It currently owns water rights consisting of 18.789 acre-feet of Safe Yield in the Overlying (Non-Agricultural) Pool.

On April 3, 2017 Angelica Corporation (Angelica), Clothesline Holdings, Inc., and other parties as sellers, entered into an Asset Purchase Agreement (APA) with 9W Halo Holdings, L.P. (9W Halo) as purchaser of certain of the assets of Angelica and its subsidiaries. On April 28, 2017 the U.S. Bankruptcy Court, Southern District of New York entered a bankruptcy bidding procedures order in Case No. 17-10870 (JLG), thereby approving bidding procedures by the APA. 9W Halo and Angelica anticipate closure of the sale under the APA on or about June 30, 2017. Pursuant to the sale, Angelica has requested the permanent transfer of 18.789 acre-feet of its overlying groundwater productions rights to 9W Halo Western OpCo L.P. (9W Halo Western) (Attachment 1).

Angelica and 9W Halo Western have submitted Consolidated Forms 3, 4 & 5 (Application for Sale or Transfer of Right to Produce Water from Storage, Application or Amendment to Application to Recapture Water in Storage, and Application to Transfer Annual Production Right or Safe Yield – Attachment 2). The Application indicates that the quantity of Safe Yield rights to be permanently transferred from Angelica to 9W Halo Western is 18.789 acre-feet, effective in fiscal year 2017/2018.

DISCUSSION

Intervention Requests

Interventions are governed by paragraph 60 of the Judgment: "Any non-party assignee of the adjudicated appropriative rights of any appropriator, or any other person newly proposing to produce water from the Chino Basin, may become a party to this Judgment upon filing a petition in intervention. Said intervention must be confirmed by order of [the] Court. Such intervenor shall thereafter be a party bound by [the] Judgment and entitled to the rights and privileges accorded under the Physical Solution...through the pool to which the Court shall assign such intervenor."

Watermaster's practice has been to accept interventions informally by way of a letter request and then process the request through the Pools, Advisory Committee and Board. After this internal approval process, the request for Intervention is filed with the Court for approval.

Overlying (Non-Agricultural) Pool Membership

According to the Judgment, a producer is assigned to the Overlying (Non-Agricultural) Pool if it is an overlying producer who produces water for industrial or commercial purposes. (Judgment, ¶ 43(b).) "Any non-party producer or any person who may hereafter commence production of water from Chino Basin, and who may become a party to [the] physical solution by intervention, shall be assigned to the proper pool by the order of the Court authorizing such intervention." (Judgment, ¶ 43.)

9W Halo Western OpCo L.P.'s Request for Intervention

9W Halo Western has requested Intervention into the Overlying (Non-Agricultural) Pool for the purpose of accepting the Transfer of Angelica's water rights (Attachment 3). 9W Halo Western intends to be a member of the Overlying (Non-Agricultural) Pool, and will therefore hold Carryover and Storage accounts with Watermaster within the Pool.

Pursuant to the APA, 9W Halo Western will operate Angelica Corporation's site in Pomona, California, which overlies the Chino Basin and is appurtenant to the historical production and use of overlying groundwater production rights (APN: 8337-029-002 & 8337-029-003; APN 8337-029-001; APN: 8337-029-005; APN: 8337-029-04). Upon successful intervention into the NAP, 9W Halo Western intends to use the overlying rights transferred from Angelica Corporation on the overlying property and in a manner consistent with Restated Judgment and current practices as approved through the Chino Basin Watermaster process and the San Bernardino Superior Court. 9W Halo Western has indicated that it will meter and report its overlying uses of overlying rights in a manner consistent with the Judgment and current practices as approved through the Chino Basin Watermaster process and the Court. On this basis, Watermaster staff recommends the approval of the request for Intervention.

The request for Intervention was unanimously approved by all three Pool Committees at its July 13, 2017 meeting and at the July 20, 2017 Advisory Committee meeting.

ATTACHMENTS

1. July 6, 2017 Letter from John Partridge RE Request for Permanent Transfer of Safe Yield
2. Consolidated Forms 3, 4, and 5
3. July 6, 2017 Letter from Jeffrey Smith RE 9W Halo Western OpCo L.P.'s Request for Intervention

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July 6, 2017

Mr. Peter Kavounas
CEO/General Manager
Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, CA 91730

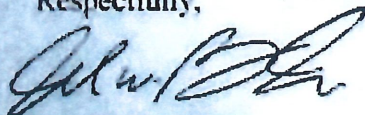
Request for Permanent Transfer of Safe Yield

Dear Mr. Kavounas,

This letter is to notify the Chino Basin Watermaster that Angelica Corporation is hereby requesting the permanent transfer to 9W Halo Western OpCo L.P. of 18.789 acre-feet of its groundwater production rights, adjudicated to Angelica Corporation or its predecessor-in-interest in the Restated Judgment rendered in the case of *Chino Basin Municipal Water District v. City of Chino, et al.* RCV 51010 (formerly Case No. SCV 164327). This transfer is contingent on 9W Halo Western OpCo L.P.'s successful intervention into the Overlying (Non-Agricultural) Pool.

The executed original Watermaster forms and all supporting documentation are attached. We kindly request that you put the proposed purchase on the agenda for the next Watermaster meeting.

Respectfully,



John Partridge
Vice-President Corporate Development & Treasurer

WATER TRANSFER INFORMATION NEEDED
FOR THE WATER ACTIVITY REPORTS AND
THE ASSESSMENT PACKAGE

ATTACHMENT 2

FISCAL YEAR 2017 - 2018

DATE REQUESTED: July 6, 2017

AMOUNT REQUESTED: 18.789 Acre-Feet

SALES PRICE: \$ 0 / Acre-Foot

(Needed for Assessment Package)

IF 85/15 RULE APPLIES, 15% GOES TO:

Seller ☐ Buyer ☐ N/A ☒

TRANSFER FROM (SELLER / TRANSFEROR):

Angelica Corporation

Name of Party

TRANSFER TO (BUYER / TRANSFEREE):

9W Halo Western OpCo L.P.

Name of Party

I declare under penalty of perjury that the date, quantity, \$/AF, and party to receive the 15% credit in the Assessment Package entered above is accurate, and if asked to do so, my city/agency/company would provide copies of documentation to validate the transaction.

[Signature]
Seller / Transferor Representative Signature

John Partridge
Seller / Transferor Representative Name (Printed)

[Signature]
Buyer / Transferee Representative Signature

AUTHORIZED SIGNATORY

Buyer / Transferee Representative Name (Printed)

THIS PAGE IS TO BE KEPT CONFIDENTIAL UNTIL
THE FISCAL YEAR IS OVER AND THE
WATER ACTIVITY REPORTS ARE CREATED.

CONSOLIDATED WATER TRANSFER FORMS:
FORM 3: APPLICATION FOR SALE OR TRANSFER OF RIGHT TO PRODUCE WATER FROM STORAGE
FORM 4: APPLICATION OR AMENDMENT TO APPLICATION TO RECAPTURE WATER IN STORAGE
FORM 5: APPLICATION TO TRANSFER ANNUAL PRODUCTION RIGHT OR SAFE YIELD

FISCAL YEAR 2017 - 2018

DATE REQUESTED: July 6, 2017

AMOUNT REQUESTED: 18.789 Acre-Feet

TRANSFER FROM (SELLER / TRANSFEROR):	TRANSFER TO (BUYER / TRANSFEREE):
<u>Angelica Corporation.</u>	<u>9W Halo Western OpCo L.P.</u>
Name of Party	Name of Party
<u>1105 Lakewood Parkway, Suite 210</u>	<u>1105 Lakewood Parkway, Suite 210</u>
Street Address	Street Address
<u>Alpharetta</u> <u>GA</u> <u>30009</u>	<u>Alpharetta</u> <u>GA</u> <u>30009</u>
City State Zip Code	City State Zip Code
<u>(678) 823-4100</u>	<u>(678) 823-4100</u>
Telephone	Telephone
<u>(678) 823-4165</u>	<u>(678) 823-4165</u>
Facsimile	Facsimile

Have any other transfers been approved by Watermaster between these parties covering the same fiscal year?

Yes ☐ No ☒

PURPOSE OF TRANSFER:

- ☐ Pump when other sources of supply are curtailed
- ☐ Pump to meet current or future demand over and above production right
- ☐ Pump as necessary to stabilize future assessment amounts
- ☒ Other, explain Transfer of 18.789 AF of Non-Agricultural Pool rights to purchaser of Angelica Corporation assets

WATER IS TO BE TRANSFERRED FROM:

- ☐ Annual Production Right (Appropriative Pool) or Operating Safe Yield (Non-Agricultural Pool)
- ☐ Storage
- ☐ Annual Production Right / Operating Safe Yield first, then any additional from Storage
- ☒ Other, explain Permanent transfer of 18.789 AF of Non-Agricultural Pool rights

WATER IS TO BE TRANSFERRED TO:

- ☐ Annual Production Right / Operating Safe Yield (common)
- ☐ Storage (rare)
- ☒ Other, explain Permanent transfer of 18.789 AF of Non-Agricultural Pool rights

IS THE 85/15 RULE EXPECTED TO APPLY? (If yes, all answers below must be "yes.") Yes ☐ No ☒
Is the Buyer an 85/15 Party? Yes ☐ No ☒
Is the purpose of the transfer to meet a current demand over and above production right? Yes ☐ No ☒
Is the water being placed into the Buyer's Annual Account? Yes ☐ No ☒

IF WATER IS TO BE TRANSFERRED FROM STORAGE:

Projected Rate of Recapture _____ Projected Duration of Recapture _____

METHOD OF RECAPTURE (e.g. pumping, exchange, etc.):

PLACE OF USE OF WATER TO BE RECAPTURED:

LOCATION OF RECAPTURE FACILITIES (IF DIFFERENT FROM REGULAR PRODUCTION FACILITIES):

WATER QUALITY AND WATER LEVELS

Are the Parties aware of any water quality issues that exist in the area? Yes ☐ No ☒

If yes, please explain:

What are the existing water levels in the areas that are likely to be affected?

N/A

MATERIAL PHYSICAL INJURY

Are any of the recapture wells located within Management Zone 1? Yes ☒ No ☐

Is the Applicant aware of any potential Material Physical Injury to a party to the Judgment or the Basin that may be caused by the action covered by the application? Yes ☐ No ☒

If yes, what are the proposed mitigation measures, if any, that might reasonably be imposed to ensure that the action does not result in Material Physical Injury to a party to the Judgment or the Basin?

SAID TRANSFER SHALL BE CONDITIONED UPON:

- (1) Transferee shall exercise said right on behalf of Transferor under the terms of the Judgment, the Peace Agreement, the Peace II Agreement, and the Management Zone 1 Subsidence Management Plan for the period described above. The first water produced in any year shall be that produced pursuant to carry-over rights defined in the Judgment. After production of its carry-over rights, if any, the next (or first if no carry-over rights) water produced by Transferee from the Chino Basin shall be that produced hereunder.
- (2) Transferee shall put all waters utilized pursuant to said Transfer to reasonable beneficial use.
- (3) Transferee shall pay all Watermaster assessments on account of the water production hereby Transferred.
- (4) Any Transferee not already a party must Intervene and become a party to the Judgment.

ADDITIONAL INFORMATION ATTACHED

Yes ☐ No ☒



Seller / Transferor Representative Signature

John Partridge

Seller / Transferor Representative Name (Printed)



Buyer / Transferee Representative Signature

JEFFREY M SMITH
AUTHORIZED SIGNATORY

Buyer / Transferee Representative Name (Printed)

TO BE COMPLETED BY WATERMASTER STAFF:

DATE OF WATERMASTER NOTICE _____

DATE OF APPROVAL FROM APPROPRIATIVE POOL: _____

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: _____

DATE OF APPROVAL FROM AGRICULTURAL POOL: _____

HEARING DATE, IF ANY: _____

DATE OF ADVISORY COMMITTEE APPROVAL: _____

DATE OF BOARD APPROVAL: _____

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July 6, 2017

Mr. Peter Kavounas
Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, CA 91730

**Request to Intervene in *Chino Basin Municipal Water District v. City of Chino, et al.*
San Bernardino Superior Court Case No. RCV 51010 (Formerly Case No. 164327)**

Dear Mr. Kavounas,

9W Halo Western OpCo L.P. ("9W Halo Western") submits this request to intervene in the above-referenced action under paragraph 60 of the Chino Basin Judgment ("Restated Judgment") as a member of the Overlying Non-Agricultural Pool ("NAP"). We request that the Chino Basin Watermaster accept permanent transfer of 18.789 acre-feet of safe yield overlying non-agricultural pool rights from Angelica Corporation. 9W Halo Western will use these rights on the property owned by Ang II (Multi) LLC and overlying the Chino Basin, consistent with the Restated Judgment as administered by the Chino Basin Watermaster.

9W Halo Western's request is based on the following facts:

- A. Angelica Corporation owns overlying groundwater production rights adjudicated to Angelica Corporation or its predecessor-in-interest under the Restated Judgment.
- B. Angelica Corporation entered into a stalking horse Asset Purchase Agreement ("APA") dated April 3, 2017 between Clothesline Holdings, Inc., Angelica Corporation and other parties as sellers and 9W Halo Holdings L.P. as purchaser of certain of the assets of Angelica Corporation and its subsidiaries. On April 28, 2017 the U.S. Bankruptcy Court, Southern District of New York entered a bankruptcy bidding procedures order in Case No. 17-10870 (JLG), thereby approving bidding procedures and the APA. 9W Halo Holdings L.P. and Angelica Corporation anticipate closure of the sale under the APA on or about June 30, 2017. Pursuant to the sale, Angelica Corporation has requested the permanent transfer of 18.789 acre-feet of its overlying groundwater production rights to 9W Halo Western (see attached letter and executed water transfer forms).
- C. The Restated Judgment allocates overlying water rights based on land ownership and overlying use. Pursuant to the APA, 9W Halo Western will operate Angelica Corporation's site in Pomona, California, which overlies the Chino Basin and is appurtenant to the historical production and use of overlying groundwater production rights (APN: 8337-029-002 & 8337-029-003; APN 8337-029-001; APN: 8337-029-005; APN: 8337-029-04). Upon successful intervention into the NAP, 9W Halo Western intends to use the overlying rights transferred from Angelica Corporation on

the overlying property and in a manner consistent with Restated Judgment and current practices as approved through the Chino Basin Watermaster process and the San Bernardino Superior Court. 9W Halo Western will meter and report its overlying uses of overlying rights.

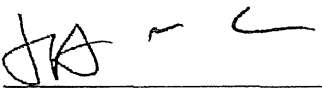
- D. 9W Halo Western understands the distinction between overlying and appropriative rights under the Restated Judgment. Therefore, 9W Halo Western will not seek special status or treatment as a member of both the NAP and the Appropriative Pool.
- E. The transfer from Angelica Corporation to 9W Halo Western does not involve any additional groundwater extractions not provided for under the Restated Judgment. As a result, the transfer will not result in any "material physical injury" to any party under the Restated Judgment's Physical Solution.

Based on the foregoing, 9W Halo Western respectfully requests that the Chino Basin Watermaster approve its request to intervene in the Restated Judgment to become a member of the NAP. 9W Halo Western also respectfully requests that Watermaster approve Angelica Corporation's request to permanently transfer 18.789 acre-feet of overlying groundwater rights to 9W Halo Western. 9W Halo Western shall comply with all provisions of the Restated Judgment in a matter consistent with past actions and approvals by Watermaster and the Court.

Please agendaize 9W Halo Western and Angelica Corporation's requests for the next monthly 2017 Pool and Advisory Committee meetings. If you have any questions or require additional information concerning this matter, please do not hesitate to contact Deepa Sarkar at (212) 373-3678 or by e-mail at dsarkar@paulweiss.com.

Respectfully,

9W Halo Western OpCo L.P.

By: 
Name: _____
Title: JEFFREY M SMITH
AUTHORIZED SIGNATORY

Attachments

Exhibit F

MINUTES
CHINO BASIN WATERMASTER
WATERMASTER BOARD MEETING

July 27, 2017

The Watermaster Board meeting was held at the offices of the Chino Basin Watermaster located at 9641 San Bernardino Road, Rancho Cucamonga, CA on July 27, 2017.

WATERMASTER BOARD MEMBERS PRESENT

James Curatalo, Chair
Robert DiPrimio, Vice Chair
Bob Kuhn, Secretary/Treasurer
Bob Bowcock
Jeff Pierson for Geoffrey Vanden Heuvel
Paul Hofer
Steve Elie
Gino L. Filippi
Don Galleano

Cucamonga Valley Water District
Fontana Water Company
Three Valleys Municipal Water District
Calmat Company (Vulcan Materials Co.)
Agricultural Pool – Crops
Agricultural Pool – Crops
Inland Empire Utilities Agency
City of Upland
Western Municipal Water District

WATERMASTER BOARD MEMBER ABSENT

Geoffrey Vanden Heuvel

Agricultural Pool – Dairy

WATERMASTER STAFF PRESENT

Peter Kavounas
Joseph Joswiak
Edgar Tellez Foster
Anna Truong
Justin Nakano

General Manager
Chief Financial Officer
Senior Environmental Engineer
Executive Services Director/Board Clerk
Water Resources Senior Associate

WATERMASTER CONSULTANTS PRESENT

Scott Slater
Brad Herrema
Mark Wildermuth
Andy Malone

Brownstein Hyatt Farber Schreck, LLP
Brownstein Hyatt Farber Schreck, LLP
Wildermuth Environmental, Inc.
Wildermuth Environmental, Inc.

OTHERS PRESENT

Brian Geye
Bob Feenstra
Pete Hall
Darron Poulsen
Dave Crosley
Ron Craig
Robert Tock
Josh Swift
Seth Zielke
David De Jesus
Bill Blomquist
Curtis Paxton
Eunice Ulloa
Rosemary Hoerning
Art Kidman
Chris Berch
John Rossi
Katie Gienger
John Bosler
Charles Moorrees

Auto Club Speedway
Agricultural Pool – Dairy
Agricultural Pool – State of California – CIM
City of Pomona
City of Chino
City of Chino Hills
Jurupa Community Services District
Fontana Water Company
Fontana Union Water Company
Three Valleys Municipal Water District
Indiana University
Chino Basin Desalter Authority
Chino Basin Water Conservation District
City of Upland
Kidman Law, LLP
Inland Empire Utilities Agency
Western Municipal Water District
City of Ontario
Cucamonga Valley Water District
San Antonio Water Company

Jo Lynne Russo-Pereyra
Justin Scott-Coe
Raul Garibay
Manny Martinez
Richard Rees
Brandon Goshi
Kati Parker

Cucamonga Valley Water District
Monte Vista Water District
City of Pomona
Monte Vista Water District
AMEC
Metropolitan Water District
Inland Empire Utilities Agency

CALL TO ORDER

Chair Curatalo called the Watermaster Board meeting to order at 11:00 a.m.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None

AGENDA - ADDITIONS/REORDER

(0:00:53) Mr. Kuhn announced that he will need to leave the meeting at noon.

(0:01:06) Mr. Kavounas introduced Mr. Bill Blomquist (Indiana University), author of Dividing the Waters. Mr. Blomquist was recently asked by Watermaster to update the Chino Basin portion of his book and is in town to conduct interviews and gather facts in preparation for his work.

(0:02:16) Mr. Kavounas introduced Mr. Brandon Goshi of Metropolitan Water District to give the Board an update on surplus conditions.

(0:02:50) Mr. Goshi gave a report. A discussion ensued.

I. CONSENT CALENDAR

A. MINUTES

1. Minutes of the Watermaster Board Meeting held June 22, 2017

B. FINANCIAL REPORTS

1. Cash Disbursements for the month of May 2017
2. Watermaster VISA Check Detail for the month of May 2017
3. Combining Schedule for the Period July 1, 2016 through May 31, 2017
4. Treasurer's Report of Financial Affairs for the Period May 1, 2017 through May 31, 2017
5. Budget vs. Actual Report for the Period July 1, 2016 through May 31, 2017

C. 9W HALO WESTERN OPCO L.P. OVERLYING (NON-AGRICULTURAL) POOL INTERVENTION REQUEST

Approve the filing of request for Intervention.

(0:15:04)

Motion by Mr. Bob Kuhn, seconded by Mr. Jeff Pierson, and by unanimous vote.

Moved to approve Consent Calendar as presented

II. BUSINESS ITEMS

A. WATER TRANSACTIONS

Approve the proposed transactions:

1. The purchase of 180,000 acre-feet of water from the San Antonio Water Company by Monte Vista Water District. This purchase is made from San Antonio Water Company's Annual Production Right / Operating Safe Yield first, then any additional from Local Supplemental

Storage. Monte Vista Water District is utilizing this transaction to produce its San Antonio Water Company share. Date of application: May 22, 2017

2. The purchase of 162.000 acre-feet of water from the San Antonio Water Company by the City of Ontario. This purchase is made from San Antonio Water Company's Annual Production Right / Operating Safe Yield first, then any additional from Local Supplemental Storage. The City of Ontario is utilizing this transaction to produce its San Antonio Water Company shares. Date of application: May 22, 2017
3. The purchase of 558.000 acre-feet of water from the San Antonio Water Company by the City of Upland. This purchase is made from San Antonio Water Company's Annual Production Right / Operating Safe Yield first, then any additional from Local Supplemental Storage. The City of Upland is utilizing this transaction to produce its San Antonio Water Company shares. Date of application: May 22, 2017

(0:15:24) Mr. Kavounas gave a report and explained that water transaction items are generally taken under the Consent Calendar. Due to the pending Safe Yield matter before the Court, in the future, language will need to be added to staff reports for water transactions to caution Appropriators of the effects of transfers, and a potential true-up. A discussion ensued.

(0:20:43)

Motion by Mr. Steve Elie, seconded by Mr. Bob Kuhn, and by unanimous vote.

Moved to approve Business Item II.A. as presented.

B. 2016 ANNUAL REPORT OF THE PRADO BASIN HABITAT SUSTAINABILITY COMMITTEE

Receive and file.

(0:21:12) Mr. Kavounas introduced Mr. Malone to give a presentation. A discussion ensued.

(0:32:29)

Motion by Mr. Jeff Pierson, seconded by Mr. Bob Bowcock, and by unanimous vote.

Moved to approve Business Item II.B. as presented.

C. DESALTER REPLENISHMENT ASSESSMENTS FOR PRODUCTION YEAR 2013/14 (BASED ON ASSESSMENT PACKAGE FOR PRODUCTION YEAR 2013/14)

Return to Advisory Committee for further deliberation.

(0:33:26) Mr. Kavounas gave a report and recommended that the Item be sent back to the Advisory Committee for reconsideration and brought back to the Board by the September 2017 Board meeting. A discussion ensued.

(0:48:06) Motion introduced by Mr. Galleano, and seconded by Mr. Kuhn. Additional discussion ensued.

(1:00:45) Mr. Kuhn left the meeting. Mr. De Jesus took Mr. Kuhn's position at the dais. Additional discussion ensued.

(1:05:24) Vote Taken

Motion by Mr. Don Galleano, seconded by Mr. Bob Kuhn, and by unanimous vote.

Moved to approve Watermaster's recommendation to send Item II.C. back to the Advisory Committee and continue the item to the September 2017 Board Meeting.

III. REPORTS/UPDATES

A. LEGAL COUNSEL REPORT

1. Notices of Appeal from April 28, 2017 Order
2. Rules and Regulations Update

(1:06:18) Mr. Slater gave a report. A discussion ensued.

B. ENGINEER REPORT

1. Prado Basin Tour
2. Ground-Level Monitoring Committee Revised Annual Report Schedule
3. 2016 State of the Basin Report
4. Storage Management Workshop
5. Evaporative Losses

(1:14:47) Mr. Malone gave a report.

C. CFO REPORT

1. Exhibit "G" Transactions
2. Appropriative Pool Legal Expense Budget

(1:24:36) Mr. Joswiak gave a report.

D. GM REPORT

1. Storage
2. SGMA Update
3. DYY Program Update
4. Other

(1:26:52) Mr. Kavounas gave a report. A discussion ensued.

(1:30:57) Mr. Kavounas introduced Mr. Tellez Foster to give a report on Item III.D.2. A discussion ensued.

(1:34:18) Mr. Kavounas gave a report on Item III.D.3., and, in an effort to reduce cost, informed the Board that staff intends to follow-up with members that receive hard copies of meeting packages to see if anyone only uses the electronic copy and can skip the hard copy mailing.

(1:35:33) At the request of Mr. Galleano, Mr. Kavounas gave a report on the July 21, 2017 meeting with Metropolitan Water District and Western Municipal Water District held at Galleano Winery. A discussion ensued.

IV. INFORMATION

1. Cash Disbursements for June 2017
2. Ground-Level Monitoring Status Report (Quarterly)
3. South Archibald and Chino Airport Plumes Status Report (Quarterly)
4. RMPU Status Report (Quarterly)
5. Santa Ana River Watershed Status Report (Quarterly)

(1:37:20) Mr. Kavounas announced that the quarterly reports listed under the Information section will be adjusted to a biannual frequency, which will result in a cost savings. Information on those reports moves slowly enough that a six month report would be sufficient. If significant matters arise and requires immediate attention, staff will report as appropriate. The Board supported the decision.

V. BOARD MEMBER COMMENTS

(1:38:13) Chair Curatalo congratulated Mr. Scott-Coe and wished him well in his future endeavors.

VI. OTHER BUSINESS

None

VII. CONFIDENTIAL SESSION - POSSIBLE ACTION

None

ADJOURNMENT

Chair Curatalo adjourned the Watermaster Board meeting at 12:40 p.m.

Secretary: _____

Approved: _____ September 28, 2017 _____

Exhibit G

CHINO BASIN WATERMASTER

I. CONSENT CALENDAR

C. ANG II (MULTI) LLC OVERLYING (NON-AGRICULTURAL) POOL INTERVENTION REQUEST



CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730
Tel: 909.484.3888 Fax: 909.484.3890 www.cbwm.org

PETER KAVOUNAS, P.E.
General Manager

STAFF REPORT

DATE: February 27, 2020
TO: Board Members
SUBJECT: ANG II (Multi) LLC Overlying (Non-Agricultural) Pool Intervention Request
(Consent Calendar Item I.C.)

SUMMARY

Issue: On January 2, 2020, Watermaster received a request for Intervention into the Overlying (Non-Agricultural) Pool from ANG II (Multi) LLC. This staff report provides a summary and analysis of the proposed Intervention.

Recommendation: File the request for intervention with the Court.

Financial Impact: None.

Future Consideration

Watermaster Board: February 27, 2020: Recommend to Court

ACTIONS:

Appropriative Pool – February 13, 2020: Unanimously recommended to the Advisory Committee to recommend to the Watermaster Board to recommend to the Court to approve the request for intervention

Non-Agricultural Pool – February 13, 2020: Unanimously recommended Pool representatives to support at the Advisory Committee and Board meetings subject to changes which they deem appropriate.

Agricultural Pool – February 13, 2020: Unanimously recommended to the Advisory Committee to recommend to the Watermaster Board to recommend to the Court to approve the request for intervention

Advisory Committee – February 20, 2020: Unanimously recommended Watermaster file the request for intervention with the Court

Watermaster Board – February 27, 2020:

Watermaster's function is to administer and enforce provisions of the Judgment and subsequent orders of the Court, and to develop and implement an Optimum Basin Management Program

BACKGROUND

Southern Service Co., dba Blue Seal Linen ("Southern Service") is identified in Exhibit "D" to the 1978 Judgment as a party holding Overlying Non-Agricultural Rights, with a share of Safe Yield of 18.789 acre-feet per year. Watermaster was informed that Angelica Corporation purchased Southern Service in the early 1980s, and since at least 2003, Watermaster has received payments for the assessments on this right from various Angelica entities (e.g., Angelica Corporation, Angelica Textile Services, Angelica Rentals).

In April 2017, Watermaster was served with court filings in the case entitled *In re: Angelica Corporation, et al.*, a Chapter 11 bankruptcy proceeding pending in the United States Bankruptcy Court, Southern District of New York (Case No. 17-10870). The debtors in the bankruptcy proceeding were identified as Clothesline Holdings, Inc., Angelica Corporation, Angelica Textile Services, Inc.-NY, Royal Institutional Services, Inc. and Angelica Textile Services, Inc.-CA. The filings initially received identified Watermaster as a utility provider to the debtor entities and stated Angelica Corporation's intention to sell all of its assets to 9W Halo Holdings LP.

At that time, Angelica believed that it was the owner of the Southern Service water rights. Following discussions with Watermaster, the debtors worked to incorporate language into the bankruptcy order approving the sale of Angelica's assets to 9W Halo Holdings LP to ensure Watermaster retained jurisdiction over the water rights and any transfer thereto. The bankruptcy court approved the sale of Angelica's assets to 9W Halo Holdings LP in June 2017 and the sale of the assets closed on June 30, 2017.

In July 2017, 9W Halo Western OpCo L.P. ("9W Halo") submitted applications to Watermaster to approve the transfer of Angelica's water rights to 9W Halo. 9W Halo also submitted a request to intervene in the Judgment. The filing of an intervention request was approved by the Watermaster Board in July 2017. The transfer was considered by the Pool Committees in July 2017, and by the Advisory Committee and Watermaster in September 2017.

While the Board approved the transfer at that time, the transfer was suspended after it was brought to Watermaster's attention that Angelica may not have been record owner of the Southern Service rights. Watermaster's legal counsel thereafter corresponded with counsel for 9W Halo regarding this concern and, over the course of 2018 and 2019, both 9W Halo and Watermaster conducted further investigation into the matter. The filing of 9W Halo's intervention request with the Court was deferred pending the outcome of the investigation.

Based upon 9W Halo's own investigation and documents submitted by 9W Halo and ANG II (Multi) LLC ("ANG II"), Watermaster is informed of the following:

- On March 25, 2010, Southern Service transferred the property located at 300 E. Commercial Street, Pomona, California 91767 and its interest in the Southern Service water rights under the Judgment to ANG II.
- Also on March 25, 2010, ANG II leased the property, including the right to use ANG II's water right under the Judgment, to Angelica Textile Services, Inc. As amended, the lease agreement runs through January 31, 2030. 9W Halo is the successor to Angelica Textile Services, Inc. under this lease.
- Watermaster was not notified of either of these transfers.
- On December 30, 2014, Southern Service filed a Domestic Stock Corporation Certificate of Dissolution with the California Secretary of State.

Watermaster's function is to administer and enforce provisions of the Judgment and subsequent orders of the Court, and to develop and implement an Optimum Basin Management Program

On January 2, 2020, ANG II submitted a letter requesting intervention in the Judgment and applications for two transfers pertaining to the right granted Southern Service in the Judgment — a permanent transfer of the Southern Service right to ANG II and a temporary transfer of the right (through January 31, 2030) from ANG II to 9W Halo.

DISCUSSION

Intervention Requests

Interventions are governed by paragraph 60 of the Judgment: "Any non-party assignee of the adjudicated appropriative rights of any appropriator, or any other person newly proposing to produce water from the Chino Basin, may become a party to this Judgment upon filing a petition in intervention. Said intervention must be confirmed by order of [the] Court. Such intervenor shall thereafter be a party bound by [the] Judgment and entitled to the rights and privileges accorded under the Physical Solution...through the pool to which the Court shall assign such intervenor."

Watermaster's practice has been to accept interventions informally by way of a letter request and then process the request through the Pools, Advisory Committee and Board. After this internal approval process, the request for Intervention is filed with the Court for approval.

Overlying (Non-Agricultural) Pool Membership

According to the Judgment, a producer is assigned to the Overlying (Non-Agricultural) Pool if it is an overlying producer who produces water for industrial or commercial purposes. (Judgment, ¶ 43(b).) "Any non-party producer or any person who may hereafter commence production of water from Chino Basin, and who may become a party to [the] physical solution by intervention, shall be assigned to the proper pool by the order of the Court authorizing such intervention." (Judgment, ¶ 43.)

ANG II's Request for Intervention

ANG II has requested intervention into the Overlying (Non-Agricultural) Pool for the purpose of accepting the Transfer of the Southern Service water rights (Attachment X). ANG II intends to be a member of the Overlying (Non-Agricultural) Pool, and will therefore hold Carryover and Storage accounts with Watermaster within the Pool.

Pursuant to their lease, 9W Halo will operate the historical Angelica Corporation site in Pomona, California, which overlies the Chino Basin and is appurtenant to the historical production and use of overlying groundwater production rights (APN: 8337-029-002 & 8337-029-003; APN 8337-029-001; APN: 8337-029-005; APN: 8337-029-04). Upon successful intervention, 9W Halo intends to use the overlying rights in a manner consistent with Restated Judgment and current practices as approved through the Chino Basin Watermaster process and the San Bernardino Superior Court. 9W Halo has indicated that it will meter and report its overlying uses of overlying rights in a manner consistent with the Judgment and current practices as approved through the Chino Basin Watermaster process and the Court.

Watermaster staff recommends the Board move the Court to allow the interventions of both ANG II and 9W Halo.

During their February 13, 2020 meetings, the Pool Committees unanimously recommended to the Advisory Committee to recommend Watermaster filing the Request for Intervention with the Court. At their February 20, 2020 meeting, the Advisory Committee unanimously recommended Watermaster file the request for intervention with the Court.

ATTACHMENTS

1. January 2, 2020 Letter from Wes Strickland, Holland & Knight RE Request for Intervention into Chino Basin Adjudication

Watermaster's function is to administer and enforce provisions of the Judgment and subsequent orders of the Court, and to develop and implement an Optimum Basin Management Program

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Holland & Knight

400 South Hope Street, 8th Floor | Los Angeles, CA 90071 | T 213.896.2400 | F 213.896.2450
Holland & Knight LLP | www.hklaw.com

Wes Strickland
Los Angeles Direct 213.896.2518 | Austin Direct 512.954.6527
Wes.Strickland@hklaw.com

January 2, 2020

Chino Basin Watermaster
Attn: Peter Kavounas, PE, General Manager
9641 San Bernardino Rd
Rancho Cucamonga, CA 91730

Re: Intervention into Chino Basin Adjudication

Dear Mr. Kavounas:

Our client ANG II (Multi) LLC hereby requests intervention into the Chino Basin Judgment, as administered by the Chino Basin Watermaster. We request that the Watermaster attorneys process the intervention paperwork through the Court.

ANG II (Multi) LLC is the successor-in-interest to the adjudicated, Overlying (Non-Agricultural) groundwater right previously held by Southern Service Co. dba Blue Seal Linen according to the Restated Judgment, Exhibit D, in the amount of 24 acre-feet ("Right"). ANG II (Multi) LLC acquired the property located at 300 E. Commercial Street, Pomona, California 91767 ("Property") on March 25, 2010, along with all appurtenances and the Right that is part and parcel of the property. As stated in the Restated Judgment, § 8, "[a]ll overlying rights are appurtenant to the land and cannot be assigned or conveyed separate or apart therefrom", and when the Property was transferred from Southern Service Co. to ANG II (Multi) LLC pursuant to the Grant Deed recorded as Document No. 20100470426 and attached to this letter, the Right was transferred at the same time by the same instrument. The parties to the transaction were not aware of the need to inform Watermaster at that time, but now seek to correct the record regarding proper ownership of the Right.

As you may be aware, Southern Service Company was dissolved on December 30, 2014, as demonstrated in the attached Certificate of Dissolution from the California Secretary of State. Accordingly, there is no representative of that entity who may legally execute any Watermaster forms or otherwise provide notice of the transfer of the Right to ANG II (Multi) LLC. The Grant Deed itself is sufficient evidence of the transfer of the Right.

Anchorage | Atlanta | Austin | Boston | Charlotte | Chicago | Dallas | Denver | Fort Lauderdale | Houston | Jacksonville
Lakeland | Los Angeles | Miami | New York | Orlando | Philadelphia | Portland | San Francisco | Stamford | Tallahassee | Tampa
Tysons | Washington, D.C. | West Palm Beach

Bogotá | London | Mexico City

Chino Basin Watermaster
January 2, 2020
Page 2

Attached to this letter is Watermaster Forms 3-5 regarding the transfer, executed by ANG II (Multi) LLC. This transfer constitutes a permanent assignment of the Right from Southern Service Co. to ANG II (Multi) LLC. Exercise of the Right will be identical to the manner in which it was exercised pre-transfer.

Please be aware that as of March 25, 2010, when ANG II (Multi) LLC became the owner of the Property and the Right, ANG II (Multi) LLC also entered into a lease agreement for the Property with Angelica Textile Services, Inc. That leasehold interest is currently governed by an Amended and Restated Lease Agreement dated April 24, 2011, and the current tenant is 9W Halo Western OpCo L.P. ("9W Halo"). Attached to this letter is Watermaster Forms 3-5 regarding the lease of the Right to 9W Halo, executed by ANG II (Multi) LLC and 9W Halo. This transfer constitutes a temporary lease of the Right from ANG II (Multi) LLC to 9W Halo ending at 11:59 p.m. EST on January 31, 2030.

It is our understanding that 9W Halo previously requested intervention into the Chino Basin Judgment. We support its intervention request, and we further authorize 9W Halo to act before Watermaster regarding the Right, for purposes of receiving notices, signing water activity reports, paying assessments, appointing a representative to the Overlying (Non-Agricultural) Pool Committee and similar actions. 9W Halo may assign its interest in the Right to a third party and file appropriate transfer forms with Watermaster, but any such transfer would be subject to the interests of ANG II (Multi) LLC. We do request that ANG II (Multi) LLC continue to receive notices regarding the Right and the adjudication, c/o Tannaz Simyar, First Vice President and Associate Transactions Counsel, W. P. Carey Inc., 50 Rockefeller Plaza, New York, NY 10020.

Sincerely,



Wes Strickland

Copy to

Bradley J. Herrema, Brownstein Hyatt Farber Schreck, LLP
Tannaz Simyar, W. P. Carey, Inc.
Deepa Sarkar, Paul, Weiss, Rifkind, Wharton & Garrison LLP

Attachments

Grant Deed of March 25, 2010
Certificate of Dissolution for Southern Service Company
Forms 3-5 for permanent transfer
Forms 3-5 for leasehold transfer



State of California
Secretary of State

0491214

Domestic Stock Corporation
Certificate of Dissolution.

DISS STK

D1272933

FILED
Secretary of State
State of California

DEC 30 2014

There is no fee for filing a Certificate of Dissolution.

IMPORTANT - Read instructions before completing this form.

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Corporate Name (Enter the name of the domestic stock corporation exactly as it is of record with the California Secretary of State.)

1. Name of corporation.

SOUTHERN SERVICE COMPANY.

Required Statements (The following statements are required by statute and should not be altered.)

2. A final franchise tax return, as described by California Revenue and Taxation Code section 23332, has been or will be filed with the California Franchise Tax Board, as required under the California Revenue and Taxation Code, Division 2, Part 10.2 (commencing with Section 18401). The corporation has been completely wound up and is dissolved.

Debts & Liabilities (Check the applicable statement. Note: Only one box may be checked.)

3. ☒ The corporation's known debts and liabilities have been actually paid.

☐ The corporation's known debts and liabilities have been paid as far as its assets permitted.

☐ The corporation's known debts and liabilities have been adequately provided for by their assumption and the name and address of the assumer is _____

☐ The corporation's known debts and liabilities have been adequately provided for as far as its assets permitted.

(Specify in an attachment to this certificate (incorporated herein by this reference) the provision made and the address of the corporation, person or governmental agency that has assumed or guaranteed the payment, or the name and address of the depository with which deposit has been made or other information necessary to enable creditors or others to whom payment is to be made to appear and claim payment.)

☐ The corporation never incurred any known debts or liabilities.

Assets (Check the applicable statement. Note: Only one box may be checked.)

4. ☒ The known assets have been distributed to the persons entitled thereto.

☐ The corporation never acquired any known assets.

Election (Check the "YES" or "NO" box, as applicable. Note: If the "NO" box is checked, a Certificate of Election to Wind Up and Dissolve pursuant to Corporations Code section 1901 must be filed prior to or together with this Certificate of Dissolution.)

5. The election to dissolve was made by the vote of all the outstanding shares. ☒ YES ☐ NO

Verification & Execution (If additional signature space is necessary, the dated signature(s) with verification(s) may be made on an attachment to this certificate. Any attachments to this certificate are incorporated herein by this reference.)

6. The undersigned constitute(s) the sole director or a majority of the directors now in office. I declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of my own knowledge.

December 16, 2014

Date

Signature of Director

Signature of Director

Signature of Director

David Van Vleet

Type or Print Name of Director

Lew Belote

Type or Print Name of Director

Type or Print Name of Director

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RECORDING REQUESTED BY, AND
WHEN RECORDED MAIL THIS DEED TO:

ANG II (MULTI) LLC
c/o Misty D. Allen
Reed Smith LLP
599 Lexington Avenue,
29th Floor
New York, NY 10022

Transfer Tax Not Shown by R&T code 11932

APNs: 8337-029-001, 8337-029-002, 8337-029-003, 8337-029-004, and 8337-029-005

(Space Above For Recorder's Use Only)

TRANSFER TAX
NOT A PUBLIC RECORD

GRANT DEED

FOR VALUE RECEIVED, SOUTHERN SERVICE COMPANY, a California corporation ("Grantor") hereby GRANTS to ANG II (MULTI) LLC, a Delaware limited liability company ("Grantee"), City of Pomona, County of Los Angeles, State of California, described on Exhibit "A" attached hereto and by this reference incorporated herein, together with the tenements, hereditaments and appurtenances thereto belonging, and the rents, issues and profits thereof; SUBJECT ONLY TO those certain matters of record affecting the Property as set forth on Exhibit "B" attached hereto and by this reference incorporated herein.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed as of the date of the acknowledgment below but to be effective on the 25th day of March 2010.

"GRANTOR":

SOUTHERN SERVICE COMPANY, a California corporation

By: [Signature]
Name: John S. Olbrych
Title: Vice President

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State of Georgia
County of Fulton

On March 22, 2010, before me personally appeared John S. Olbrych, Vice President of Southern Service Company, a California corporation, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Georgia that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Jennifer M. Smith (Seal)

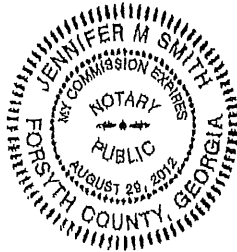


EXHIBIT A

(Legal Description)

PARCEL A: (APNs: 8337-029-002 and 8337-029-003)

LOTS 1, 2, 3, 4, AND 5 IN BLOCK 23 24 OF O.F. GIFFIN'S SUBDIVISION OF BLOCKS 1, 2, 23 AND 24, IN THE CITY OF POMONA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 17 PAGE 90 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL B: (APN: 8337-029-001)

LOTS 1, 2, 3, 4 AND 5 OF BLOCK 24 OF O.F. GIFFIN'S SUBDIVISION OF BLOCKS 1, 2, 23 AND 24, IN THE CITY OF POMONA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 17 PAGE 90 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY,

EXCEPT ALL OIL, GAS, AND OTHER HYDROCARBON, GEOTHERMAL RESOURCES AS DEFINED IN SECTION 6903 OF THE CALIFORNIA PUBLIC RESOURCES CODE, AND ALL OTHER MINERALS, WHETHER SIMILAR TO THOSE HEREIN SPECIFIED OR NOT, WITHIN OR THAT MAY BE PRODUCED FROM SAID REAL PROPERTY, PROVIDED, HOWEVER, THAT THE SURFACE OF SAID REAL PROPERTY SHALL NEVER BE USED FOR THE EXPLORATION, DEVELOPMENT, EXTRACTION, REMOVAL OR STORAGE OF ANY THEREOF.

ALSO EXCEPTING THE SOLE AND EXCLUSIVE RIGHT FROM TIME TO TIME TO DRILL AND MAINTAIN WELLS OR OTHERS WORKS INTO OR THROUGH SAID REAL PROPERTY, BELOW A DEPTH OF 500 FEET AND TO PRODUCE, INJECT, STORE AND REMOVE FROM AND THROUGH SUCH WELLS OR WORKS OIL, GAS, WATER AND OTHER SUBSTANCES OF WHATEVER NATURE, INCLUDING THE RIGHT TO PERFORM ANY AND ALL OPERATIONS DEEMED BY GRANTOR NECESSARY OR CONVENIENT FOR THE EXERCISE OF SUCH RIGHTS AS RESERVED BY STANDARD OIL COMPANY OF CALIFORNIA, A CORPORATION IN DEED RECORDED JANUARY 27, 1976 AS INSTRUMENT NO. 76-337,

PARCEL C: (APN: 8337-029-005)

THAT PORTION OF ELEANOR STREET, 70 FEET WIDE, AS SHOWN AND DEDICATED UPON THE MAP OF POMONA, IN THE CITY OF POMONA, AS PER MAP RECORDED IN BOOK 3 PAGES 90 AND 91 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND VACATED BY RESOLUTION NO. 79-123 OF THE CITY COUNCIL OF SAID COUNTY, A COPY OF WHICH WAS REMOVED MAY 24, 1979 AS INSTRUMENT NO. 79-563200, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BOUNDED NORTHERLY BY THE EASTERLY PROLONGATION OF THE NORTHERLY LINE OF LOT 1 IN BLOCK 24 OF THE MAP O.F. GIFFIN'S SUBDIVISION OF BLOCKS 1, 2, 23 AND 24 OF TOWN OF POMONA, CALIFORNIA IN BOOK 17, PAGE 90 OF SAID MISCELLANEOUS RECORDS, BOUNDED SOUTHERLY BY THE EASTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID LOT 1 IN BLOCK 24.

PARCEL D: (APN: 8337-029-004)

THAT PORTION OF LINDEN STREET (70 FEET WIDE), FORMERLY IMOGENE STREET, AS SHOWN ON MAP OF O.F. GIFFIN'S SUBDIVISION OF BLOCKS 1, 2, 23 AND 24, IN THE CITY OF POMONA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 17 PAGE 90 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID

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COUNTY, BOUNDED AS FOLLOWS:

BOUNDED ON THE NORTH BY THE WESTERLY PROLONGATION OF THE NORTHERLY LINE OF LOT 5 IN BLOCK 24 OF SAID O.F. GIFFIN'S SUBDIVISION, BOUNDED ON THE EAST BY THE WESTERLY LINE OF SAID LOT 5 IN BLOCK 24, BOUNDED ON THE SOUTH BY THE WESTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID LOT 5 IN BLOCK 24 AND BOUNDED ON THE WEST BY THE EASTERLY LINE OF LOT 1 IN BLOCK 23 OF SAID O.F. GIFFIN'S SUBDIVISION.

SAID PORTION OF LINDEN STREET WAS VACATED BY RESOLUTION NO. 4802, IN THE CITY OF POMONA, RECORDED ON APRIL 1, 1957 AS INSTRUMENT NO. 3441 IN BOOK 54081 PAGE 190 OF OFFICIAL RECORDS IN SAID OFFICE OF THE COUNTY RECORDER.

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EXHIBIT B

(Permitted Encumbrances)

1. General and special real estate taxes and assessments for the 2nd half fiscal year 2009-2010, due and payable but not delinquent.
2. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code, none due or delinquent as of date hereof.
3. General and special real estate taxes and assessments for the fiscal year 2010-2011, a lien not yet due and payable.
4. An easement for underground oil, water and other pipe lines and incidental purposes, recorded February 19, 1920 as Instrument No. 218 in Book 7095 of Deeds, Page 187 in favor of Pomona Sanitary Laundry.
5. An easement for street and related purposes and incidental purposes recorded August 20, 1973 as Instrument No. 73-4235 of Official Records in favor of the City of Pomona.
6. Reservation of easement for public utilities and incidental purposes in Resolution No. 79-123, recorded May 24, 1979 as Instrument No. 79-563200 of Official Records, in favor of the City of Pomona, Southern California Gas Company and others.
7. Reservation of easement for public utility and incidental purposes recorded May 20, 1987 as Instrument No. 87-796969 of Official Records in favor of the City of Pomona, Southern California Gas Company and others.
8. Terms and provisions contained in the document entitled "Acceptance of Drainage by Adjacent Property Owner(s)" recorded October 25, 1988 as Instrument No. 88-1717221 of Official Records.
9. Terms and provisions contained in the document entitled "Notice of Lot Merger L.M. #6-99" recorded October 26, 2000 as Instrument No. 00-16678804 of Official Records.

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Recorder's Office, Los Angeles County,
California

04/07/10 AT 08:00AM

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CONSOLIDATED WATER TRANSFER FORMS:
FORM 3: APPLICATION FOR SALE OR TRANSFER OF RIGHT TO PRODUCE WATER FROM STORAGE
FORM 4: APPLICATION OR AMENDMENT TO APPLICATION TO RECAPTURE WATER IN STORAGE
FORM 5: APPLICATION TO TRANSFER ANNUAL PRODUCTION RIGHT OR SAFE YIELD

FISCAL YEAR 2019 - 2020DATE REQUESTED: January 2, 2020AMOUNT REQUESTED: 24 Acre-Feet

TRANSFER FROM (SELLER / TRANSFEROR):				TRANSFER TO (BUYER / TRANSFEREE):			
<u>Southern Service Co. dba Blue Seal Linen</u>				<u>ANG II (Multi) LLC</u>			
Name of Party				Name of Party			
<u>N/A</u>				<u>c/o W. P. Carey Inc., 50 Rockefeller Plaza</u>			
Street Address				Street Address			
<u>N/A</u>				<u>New York</u> <u>NY</u> <u>10020</u>			
City		State	Zip Code	City		State	Zip Code
<u>N/A</u>				<u>(212) 492-1195</u>			
Telephone				Telephone			
<u>N/A</u>							
Facsimile				Facsimile			

Have any other transfers been approved by Watermaster
between these parties covering the same fiscal year?

Yes ☐ No ☒**PURPOSE OF TRANSFER:**

- ☐ Pump when other sources of supply are curtailed
☐ Pump to meet current or future demand over and above production right
☐ Pump as necessary to stabilize future assessment amounts
☒ Other, explain Permanent transfer based on transfer of land ownership by Grant Deed dated March 25, 2010

WATER IS TO BE TRANSFERRED FROM:

- ☐ Annual Production Right (Appropriative Pool) or Operating Safe Yield (Non-Agricultural Pool)
☐ Storage
☐ Annual Production Right / Operating Safe Yield first, then any additional from Storage
☒ Other, explain Permanent transfer

WATER IS TO BE TRANSFERRED TO:

- ☐ Annual Production Right / Operating Safe Yield (common)
☐ Storage (rare)
☒ Other, explain Permanent transfer

Consolidated Forms 3, 4 & 5 cont.

IS THE 85/15 RULE EXPECTED TO APPLY? (If yes, all answers below must be "yes.") Yes ☐ No ☒
Is the Buyer an 85/15 Party? Yes ☐ No ☒
Is the purpose of the transfer to meet a current demand over and above production right? Yes ☐ No ☒
Is the water being placed into the Buyer's Annual Account? Yes ☐ No ☒

IF WATER IS TO BE TRANSFERRED FROM STORAGE:

N/A
Projected Rate of Recapture

N/A
Projected Duration of Recapture

METHOD OF RECAPTURE (e.g. pumping, exchange, etc.):

N/A

PLACE OF USE OF WATER TO BE RECAPTURED:

N/A

LOCATION OF RECAPTURE FACILITIES (IF DIFFERENT FROM REGULAR PRODUCTION FACILITIES):

N/A

WATER QUALITY AND WATER LEVELS

Are the Parties aware of any water quality issues that exist in the area? Yes ☐ No ☒

If yes, please explain:

What are the existing water levels in the areas that are likely to be affected?

None, as operations at 300 E. Commercial St, Pomona CA, will be the same pre-transfer and post-transfer

MATERIAL PHYSICAL INJURY

Are any of the recapture wells located within Management Zone 1? Yes ☒ No ☐

Is the Applicant aware of any potential Material Physical Injury to a party to the Judgment or the Basin that may be caused by the action covered by the application? Yes ☐ No ☒

If yes, what are the proposed mitigation measures, if any, that might reasonably be imposed to ensure that the action does not result in Material Physical Injury to a party to the Judgment or the Basin?

SAID TRANSFER SHALL BE CONDITIONED UPON:

- (1) Transferee shall exercise said right on behalf of Transferor under the terms of the Judgment, the Peace Agreement, the Peace II Agreement, and the Management Zone 1 Subsidence Management Plan for the period described above. The first water produced in any year shall be that produced pursuant to carry-over rights defined in the Judgment. After production of its carry-over rights, if any, the next (or first if no carry-over rights) water produced by Transferee from the Chino Basin shall be that produced hereunder.
- (2) Transferee shall put all waters utilized pursuant to said Transfer to reasonable beneficial use.
- (3) Transferee shall pay all Watermaster assessments on account of the water production hereby Transferred.
- (4) Any Transferee not already a party must Intervene and become a party to the Judgment.

ADDITIONAL INFORMATION ATTACHED

Yes ☒ No ☐

By: CPA:17 Limited Partnership, its sole member

By: CPA17 Merger Sub LLC, its general and limited partner

By:

Seller / Transferor Representative Signature

Buyer / Transferee Representative Signature

N/A -- Dissolved Effective December 30, 2014

Seller / Transferor Representative Name (Printed)

Christopher D. Hayes, Executive Director

Buyer / Transferee Representative Name (Printed)

TO BE COMPLETED BY WATERMASTER STAFF:

DATE OF WATERMASTER NOTICE: _____

DATE OF APPROVAL FROM APPROPRIATIVE POOL: _____

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: _____

DATE OF APPROVAL FROM AGRICULTURAL POOL: _____

HEARING DATE, IF ANY: _____

DATE OF ADVISORY COMMITTEE APPROVAL: _____

DATE OF BOARD APPROVAL: _____

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CONSOLIDATED WATER TRANSFER FORMS:
FORM 3: APPLICATION FOR SALE OR TRANSFER OF RIGHT TO PRODUCE WATER FROM STORAGE
FORM 4: APPLICATION OR AMENDMENT TO APPLICATION TO RECAPTURE WATER IN STORAGE
FORM 5: APPLICATION TO TRANSFER ANNUAL PRODUCTION RIGHT OR SAFE YIELD

FISCAL YEAR 20¹⁹ - 20²⁰DATE REQUESTED: January 2, 2020AMOUNT REQUESTED: 24 Acre-Feet

TRANSFER FROM (SELLER / TRANSFEROR):	TRANSFER TO (BUYER / TRANSFEREE):
<u>ANG II (Multi) LLC</u>	<u>9W Halo Western OpCo L.P.</u>
Name of Party	Name of Party
<u>c/o W. P. Carey Inc., 50 Rockefeller Plaza</u>	<u>1105 Lakewood Parkway, Suite 210</u>
Street Address	Street Address
<u>New York</u> <u>NY</u> <u>10020</u>	<u>Alpharetta</u> <u>GA</u> <u>30009</u>
City State Zip Code	City State Zip Code
<u>(212) 492-1195</u>	<u>(678) 823-4100</u>
Telephone	Telephone
<u></u>	<u>(678) 823-4165</u>
Facsimile	Facsimile

Have any other transfers been approved by Watermaster
between these parties covering the same fiscal year?

Yes ☒ No ☐**PURPOSE OF TRANSFER:**

- ☐ Pump when other sources of supply are curtailed
☐ Pump to meet current or future demand over and above production right
☐ Pump as necessary to stabilize future assessment amounts
☒ Other, explain Lease of land to which water right is appurtenant as of March 25, 2010

WATER IS TO BE TRANSFERRED FROM:

- ☒ Annual Production Right (Appropriative Pool) or Operating Safe Yield (Non-Agricultural Pool)
☐ Storage
☐ Annual Production Right / Operating Safe Yield first, then any additional from Storage
☐ Other, explain _____

WATER IS TO BE TRANSFERRED TO:

- ☒ Annual Production Right / Operating Safe Yield (common)
☐ Storage (rare)
☐ Other, explain _____

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N/A
 Projected Rate of Recapture
 N/A
 Projected Duration of Recapture

METHOD OF RECAPTURE (e.g. pumping, exchange, etc.):

N/A

PLACE OF USE OF WATER TO BE RECAPTURED:

N/A

LOCATION OF RECAPTURE FACILITIES (IF DIFFERENT FROM REGULAR PRODUCTION FACILITIES):

N/A

WATER QUALITY AND WATER LEVELS

Are the Parties aware of any water quality issues that exist in the area? Yes ☐ No ☒

If yes, please explain:

What are the existing water levels in the areas that are likely to be affected?

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- (2) Transferee shall put all waters utilized pursuant to said Transfer to reasonable beneficial use.
- (3) Transferee shall pay all Watermaster assessments on account of the water production hereby Transferred.
- (4) Any Transferee not already a party must Intervene and become a party to the Judgment.

ADDITIONAL INFORMATION ATTACHED

Yes ☐ No ☒

By: CPA:17 Limited Partnership, its sole member
By: CPA17 Mergersub LLC, its general and limited partner
By:



Seller / Transferor Representative Signature

Christopher D. Hayes, Executive Director

Seller / Transferor Representative Name (Printed)

Buyer / Transferee Representative Signature

John Partridge

Buyer / Transferee Representative Name (Printed)

TO BE COMPLETED BY WATERMASTER STAFF:

DATE OF WATERMASTER NOTICE: _____

DATE OF APPROVAL FROM APPROPRIATIVE POOL: _____

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: _____

DATE OF APPROVAL FROM AGRICULTURAL POOL: _____

HEARING DATE, IF ANY: _____

DATE OF ADVISORY COMMITTEE APPROVAL: _____

DATE OF BOARD APPROVAL: _____

SAID TRANSFER SHALL BE CONDITIONED UPON:

- (1) Transferee shall exercise said right on behalf of Transferor under the terms of the Judgment, the Peace Agreement, the Peace II Agreement, and the Management Zone 1 Subsidence Management Plan for the period described above. The first water produced in any year shall be that produced pursuant to carry-over rights defined in the Judgment. After production of its carry-over rights, if any, the next (or first if no carry-over rights) water produced by Transferee from the Chino Basin shall be that produced hereunder.
- (2) Transferee shall put all waters utilized pursuant to said Transfer to reasonable beneficial use.
- (3) Transferee shall pay all Watermaster assessments on account of the water production hereby Transferred.
- (4) Any Transferee not already a party must Intervene and become a party to the Judgment.

ADDITIONAL INFORMATION ATTACHED

Yes ☐ No ☒

Seller / Transferor Representative Signature

Seller / Transferor Representative Name (Printed)

John Partridge

Digitally signed by John Partridge
DN: cn=John Partridge, o=Legalnet, ou=VP &
Transferor, email=jpartridge@legalnet.com, c=US
Date: 2020.01.02 12:46:14 -0500

Buyer / Transferee Representative Signature

John Partridge

Buyer / Transferee Representative Name (Printed)

TO BE COMPLETED BY WATERMASTER STAFF:

DATE OF WATERMASTER NOTICE: _____

DATE OF APPROVAL FROM APPROPRIATIVE POOL: _____

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: _____

DATE OF APPROVAL FROM AGRICULTURAL POOL: _____

HEARING DATE, IF ANY: _____

DATE OF ADVISORY COMMITTEE APPROVAL: _____

DATE OF BOARD APPROVAL: _____

Exhibit H

MINUTES
CHINO BASIN WATERMASTER
WATERMASTER BOARD MEETING

February 27, 2020

The Watermaster Board meeting was held at the offices of the Chino Basin Watermaster located at 9641 San Bernardino Road, Rancho Cucamonga, CA on February 27, 2020.

WATERMASTER BOARD MEMBERS PRESENT

Jeff Pierson, Chair
James Curatalo, Vice-Chair
Bob Kuhn, Secretary/Treasurer
Brian Geye for Bob Bowcock
Bob Feenstra for Paul Hofer
Steve Elie
Peter Rogers
Don Galleano
Victor Preciado for Robert DeLoach

Agricultural Pool – Crops
Fontana Union Water Company
Three Valleys Municipal Water District
California Speedway Corporation
Agricultural Pool – Dairy
Inland Empire Utilities Agency
City of Chino Hills
Western Municipal Water District
City of Pomona

WATERMASTER BOARD MEMBERS ABSENT

Robert DeLoach
Bob Bowcock
Paul Hofer

City of Pomona
CalMat Co.
Agricultural Pool – Crops

WATERMASTER STAFF PRESENT

Peter Kavounas
Joseph Joswiak
Anna Nelson
Edgar Tellez Foster
Justin Nakano

General Manager
Chief Financial Officer
Executive Services Director/Board Clerk
Senior Environmental Engineer
Water Resources Senior Associate

WATERMASTER CONSULTANTS PRESENT

Scott Slater
Andy Malone
Veva Weamer

Brownstein Hyatt Farber Schreck, LLP
Wildermuth Environmental, Inc.
Wildermuth Environmental, Inc.

OTHERS PRESENT

Erik Gaiser
Cris Fealy
Ron Craig
John Bosler
Chris Berch
Andrew Gagen
Dave Crosley
Betty Anderson
Chris Diggs
David De Jesus
Manny Martinez
Justin Scott-Coe
Gino Filippi
Kevin Kenley
Marty Zvirbulis
Sylvie Lee
Sam Gershon
Brian Lee
Amanda Coker

GEI Consultants, Inc.
Fontana Water Company
City of Chino Hills
Cucamonga Valley Water District
Jurupa Community Services District
Kidman Gagen Law, LLP
City of Chino
Jurupa Community Services District
City of Pomona
Three Valleys Municipal Water District
Monte Vista Water District
Monte Vista Water District
Agricultural Pool – Crops
Cucamonga Valley Water District
San Gabriel Valley Water Company
Inland Empire Utilities Agency
Santa Ana River Water Company
San Antonio Water Company
City of Chino

Steve Corrington
Craig Miller

MIH Water Treatment, Inc.
Western Municipal Water District

CALL TO ORDER

Chair Pierson called the Watermaster Board meeting to order at 11:00 a.m.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None

AGENDA - ADDITIONS/REORDER

None

I. CONSENT CALENDAR

Note: All matters listed under the Consent Calendar are considered to be routine and non-controversial and will be acted upon by one motion in the form listed below. There will be no separate discussion on these items prior to voting unless any members, staff, or the public requests specific items be discussed and/or removed from the Consent Calendar for separate action.

A. MINUTES

Approve as presented:

1. Minutes of the Watermaster Board Meeting held January 23, 2020

B. FINANCIAL REPORTS

Receive and file as presented:

1. Cash Disbursements for the month of December 2019
2. Watermaster VISA Check Detail for the month of December 2019
3. Combining Schedule for the Period July 1, 2019 through December 31, 2019
4. Treasurer's Report of Financial Affairs for the Period December 1, 2019 through December 31, 2019
5. Budget vs. Actual Report for the Period July 1, 2019 through December 31, 2019

C. ANG II OVERLYING (NON-AGRICULTURAL) POOL INTERVENTION REQUEST

File the request for intervention with the Court.

(0:01:30)

Motion by Mr. Steve Elie, seconded by Mr. Bob Feenstra, and by unanimous vote

Moved to approve the Consent Calendar as presented.

II. BUSINESS ITEMS

A. OBMP IMPLEMENTATION PLAN UPDATE (INFORMATION ONLY)

(0:01:52) Mr. Kavounas gave a report. A discussion ensued.

(0:02:30) Mr. Victor Preciado joined the meeting.

(0:11:42) The Board directed staff to move forward with drafting the notice of potential storage limitation to bring to the March 2020 Watermaster meetings.

(0:13:10) Mr. Tellez Foster gave a presentation on the historical overview of the OBMP. A discussion ensued.

III. REPORTS/UPDATES

A. LEGAL COUNSEL REPORT

1. Watermaster's Motion for Court to Receive and File Annual Report
2. March 20, 2020 Hearing

(0:33:45) Mr. Slater gave a report.

(0:33:50) Mr. Geye left the meeting.

B. ENGINEER REPORT

1. 2020 Safe Yield Recalculation
2. PFAS Monitoring and Results

(0:38:54) Mr. Malone gave a report on the 2020 Safe Yield Recalculation.

(0:40:43) Mr. Malone introduced Ms. Weamer to give a presentation on the PFAS Monitoring and Results.

(0:40:53) Ms. Weamer gave the presentation. A discussion ensued.

C. CFO REPORT

1. Fiscal Year 2019/20 Mid-Year Review
2. Fiscal Year 2019/20 Budget Schedule

(0:46:55) Mr. Joswiak gave a report. A discussion ensued.

D. GM REPORT

1. OAP Contest
2. Exhibit G Process
3. Other

(0:56:19) Mr. Kavounas gave a report and introduced Watermaster's newest staff member, Ms. Vanessa Aldaz, Administrative Assistant.

(0:57:50) Ms. Aldaz addressed the Watermaster Board.

IV. INFORMATION

1. Cash Disbursements for January 2020

V. BOARD MEMBER COMMENTS

None

VI. OTHER BUSINESS

None

VII. CONFIDENTIAL SESSION - POSSIBLE ACTION

Pursuant to Article 2.6 of the Watermaster Rules & Regulations, a Confidential Session may be held during the Watermaster Board meeting for the purpose of discussion and possible action.

None

ADJOURNMENT

Chair Pierson adjourned the Watermaster Board meeting at 12:00 p.m.

Secretary: _____

Approved: March 26, 2020

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

CHINO BASIN MUNICIPAL WATER
DISTRICT,

Plaintiff,

v.

CITY OF CHINO, ET AL.,

Defendants.

Case No. RCV RS 51010

[Assigned for All Purposes to the
Honorable Stanford E. Reichert]

**[PROPOSED] ORDER RE REQUEST FOR
THE COURT TO APPROVE
INTERVENTIONS**

Date: June 26, 2020
Time: 1:30 p.m.
Dept: S35

1 **[PROPOSED] ORDER**

2 On June 26, 2020, Chino Basin Watermaster's ("Watermaster") Request that the Court
3 approve the interventions of (1) Rafael Treto and Restorative Justice Center (dba the Community
4 Garden Project of Rancho Cucamonga) ("Restorative Justice Center") into the Overlying
5 (Agricultural) Pool; and, (2) 9W Halo Western OpCo L.P. ("9w Halo") and ANG II (Multi) LLC
6 ("ANG II") into the Overlying (Non-Agricultural) Pool came on regularly for hearing in the
7 above-captioned matter. Having read and considered the papers and heard the arguments of
8 counsel, the Request is **GRANTED**. It is **HEREBY ORDERED** that:

- 9 1. The Court grants the intervention requests of Rafael Treto and Restorative Justice
10 Center into the Overlying (Agricultural) Pool, and 9W Halo and ANG II into the
11 Overlying (Non-Agricultural) Pool. Effective as of the date upon which the
12 Watermaster Board recommended approval of their interventions into this matter,
13 each party shall be a member of the respective pools and shall be bound by all
14 benefits and burdens of the Restated Judgment.

15 **IT IS SO ORDERED.**

16 Dated: _____

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18 _____
19 Hon. Stanford E. Reichert
20 Judge of the Superior Court
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CHINO BASIN WATERMASTER
Case No. RCVRS 51010
Chino Basin Municipal Water District v. City of Chino, et al.

PROOF OF SERVICE

I declare that:

I am employed in the County of San Bernardino, California. I am over the age of 18 years and not a party to the within action. My business address is Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, California 91730; telephone (909) 484-3888.

On May 27, 2020 I served the following:

1. REQUEST FOR THE COURT TO APPROVE INTERVENTIONS
2. DECLARATION OF BRADLEY J. HERREMA IN SUPPORT OF CHINO BASIN WATERMASTER REQUEST FOR THE COURT TO APPROVE INTERVENTIONS
3. [PROPOSED] ORDER RE REQUEST FOR COURT TO APPROVE INTERVENTIONS

/X/ BY MAIL: in said cause, by placing a true copy thereof enclosed with postage thereon fully prepaid, for delivery by United States Postal Service mail at Rancho Cucamonga, California, addresses as follows:

See attached service list: Mailing List 1

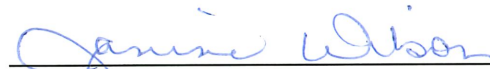
/ BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the addressee.

/ BY FACSIMILE: I transmitted said document by fax transmission from (909) 484-3890 to the fax number(s) indicated. The transmission was reported as complete on the transmission report, which was properly issued by the transmitting fax machine.

/X/ BY ELECTRONIC MAIL: I transmitted notice of availability of electronic documents by electronic transmission to the email address indicated. The transmission was reported as complete on the transmission report, which was properly issued by the transmitting electronic mail device.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on May 27, 2020 in Rancho Cucamonga, California.



By: Janine Wilson
Chino Basin Watermaster

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FONTANA, CA 92335

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THREE VALLEYS MWD
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GLENORA, CA 91740

ROBERT BOWCOCK
INTEGRATED RESOURCES MGMNT
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CLAREMONT, CA 91711

STEVE ELIE
IEUA
17017 ESTORIL STREET
CHINO HILLS, CA 91709

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INTEX PROPERTIES CORP.
PO BOX 1440
LONG BEACH, CA 90801-1440

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WMWD
4220 WINEVILLE ROAD
MIRA LOMA, CA 91752

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